

Please note: These transcripts are not individually reviewed and approved for accuracy.

BEFORE THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD POLICY,
RESEARCH AND TECHNICAL ASSISTANCE COMMITTEE
IN THE MATTER OF THE:)
)
POLICY, RESEARCH, AND)
TECHNICAL ASSISTANCE)
COMMITTEE MEETING)
)

DATE AND TIME: MONDAY,
SEPTEMBER 15, 1997
9:30 A.M.

PLACE: BOARD HEARING
ROOM
8800 CAL
CENTER DRIVE
SACRAMENTO,
CALIFORNIA

REPORTER: BETH C.
DRAIN, RPR, CSR
CERTIFICATE
NO. 7152

BRS FILE NO.: 41670

APPEARANCES

MR. STEVEN R. JONES, CHAIRMAN
MR. DANIEL G. PENNINGTON, MEMBER
MR. PAUL RELIS, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, EXECUTIVE DIRECTOR MR.
KEITH SMITH, DEPUTY DIRECTOR
MR. ELLIOT BLOCK, LEGAL COUNSEL
MS. JEANNINE BAKULICH, COMMITTEE SECRETARY

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I N D E X

	PAGE NO.
CALL TO ORDER	5
EX PARTE COMMUNICATIONS	6
ITEM 1: (PULLED) CONSIDERATION OF A POLICY THAT WILL ESTABLISH CRITERIA TO DETERMINE WHEN AND UNDER WHAT CIRCUMSTANCES AN APPLICANT FOR A BOARD CONTRACT, GRANT, OR LOAN SHOULD BE CONSIDERED UNRELIABLE AND, THEREFORE, NOT AWARDED THE CONTRACT, GRANT, OR LOAN.	
ITEM 2: CONSIDERATION OF A BOARD POLICY FOR ASSISTING USE OF WASTE TIRES AS A FUEL SUPPLEMENT AT COAL FIRED COGENERATION PLANTS AND CEMENT KILNS	
STAFF PRESENTATION	34
PUBLIC TESTIMONY	46, 54
COMMITTEE DISCUSSION	49
ACTION	68
ITEM 3: CONSIDERATION OF REALLOCATION OF \$200,000 FROM THE FY 1997/98 CALIFORNIA TIRE RECYCLING FUND TO AUGMENT THE WASTE TIRE LEVEE REPAIR DEMONSTRATION PROJECT.	
STAFF PRESENTATION	69
PUBLIC TESTIMONY	
COMMITTEE DISCUSSION	72
ACTION	72
ITEM 4: CONSIDERATION OF ACCEPTANCE OF THE REPORT ANALYSIS OF EMISSIONS TEST RESULTS AND RESIDUAL BY-PRODUCTS FROM FACILITIES USING TIRES AS FUEL SUPPLEMENT.	
STAFF PRESENTATION	9
PUBLIC TESTIMONY	25
COMMITTEE DISCUSSION	22, 28
ACTION	34

ITEM 5: STATUS REPORT ON THE PUBLIC UTILITIES COMMISSION
DEREGULATION OF THE ELECTRIC UTILITY INDUSTRY.

STAFF PRESENTATION

73

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1 PUBLIC TESTIMONY
COMMITTEE DISCUSSION

2 ACTION

3 ITEM 6: OPEN DISCUSSION

4 ITEM 7: ADJOURNMENT 79

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1 SACRAMENTO, CALIFORNIA; MONDAY, SEPTEMBER 15, 1997

2 9:30 A.M.

3

4 CHAIRMAN JONES: GOOD MORNING, LADIES AND
5 GENTLEMEN. WELCOME TO THE SEPTEMBER 15TH MEETING
6 OF THE POLICY, RESEARCH, AND TECHNICAL ASSISTANCE
7 COMMITTEE. JEANNINE, WOULD YOU CALL THE ROLL.

8 THE SECRETARY: BOARD MEMBER RELIS.

9 MEMBER RELIS: HERE.

10 THE SECRETARY: BOARD MEMBER PENNINGTON.

11 MEMBER PENNINGTON: HERE.

12 THE SECRETARY: CHAIRMAN JONES.

13 CHAIRMAN JONES: HERE.

14 OKAY. IF ANYBODY WANTS TO SPEAK TO
15 ANY ITEMS ON THE AGENDA, THERE ARE SPEAKER SLIPS IN
16 THE FRONT. IF YOU CAN BRING A COMPLETED FORM DOWN
17 TO MS. BAKULICH, SHE WILL PUT IT IN AND WE CAN
18 TALK.

19 WE HAVE A COUPLE OF ANNOUNCEMENTS ON
20 THE AGENDA. THE FIRST ITEM HAS BEEN PULLED. WE
21 GOT THE WORK BACK FROM -- THE LEGAL ANALYSIS BACK
22 LATE AND WANTED TO GIVE IT A LITTLE MORE TIME SO
23 THAT THE ADMINISTRATION DEPARTMENT COULD LOOK AT
24 IT.

25 ITEM NO. 2 WILL BE HELD -- WILL BE --

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1 THE FOURTH ITEM -- ACTUALLY THE THIRD ITEM WE HEAR.
2 ITEM NO. 4 WE'LL MOVE UP TO THE SECOND ITEM. IT'S
3 THE CONSIDERATION OF ACCEPTANCE OF THE REPORT,
4 "ANALYSIS OF EMISSIONS TEST RESULTS AND RESIDUAL
5 BY-PRODUCTS FROM FACILITIES USING TIRES AS A FUEL
6 SUPPLEMENT." THAT WILL BE THE SECOND ITEM HEARD --
7 OR ACTUALLY THE FIRST ITEM HEARD.

8 DOES ANYBODY HAVE ANY EX PARTES?

9 MEMBER PENNINGTON: MR. CHAIRMAN, I DON'T
10 HAVE ANY EX PARTES, BUT I WOULD LIKE TO
11 CONGRATULATE THE CHAIRMAN AND MR. RELIS FOR FINALLY
12 11 MINUTES BEFORE THE LEGISLATURE LEFT TOWN
13 BEING -- GETTING THROUGH THE CONFIRMATION PROCESS,
14 AND WE ARE GLAD THAT YOU ARE WELL ENSCONCED AND
15 HAVE A HAPPY ANOTHER FOUR YEARS.

16 MEMBER RELIS: THANK YOU, MR.
17 PENNINGTON. I WAS ASLEEP AT THE TIME APPARENTLY
18 THAT IT HAPPENED.

19 MEMBER PENNINGTON: I'M NOT SURE THAT
20 THERE WEREN'T OTHERS THAT WERE ASLEEP AT THE TIME
21 TOO.

22 MEMBER RELIS: GLAD THAT'S OVER WITH.

23 CHAIRMAN JONES: I APPRECIATE THAT, MR.

24 CHAIRMAN, THANK YOU.

25 OKAY. MR. RELIS, DO YOU HAVE EX

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1 PARTES? I HAVE A WHOLE LIST.

2 MEMBER RELIS: MR. CHAIR, I HAVE EX
3 PARTES VIA YOU. I HAVEN'T RECEIVED, I THINK, ANY
4 DIRECTLY, BUT I JUST RECEIVED FROM YOUR OFFICE A
5 PILE OF STUFF I HAVE NOT LOOKED THROUGH YET.

6 MEMBER PENNINGTON: YOU WANT TO EX PARTE
7 THEM ALL FOR US.

8 CHAIRMAN JONES: I AM GOING TO EX PARTE
9 THEM. I'LL EX PARTE THEM NOW. I HAD BOTH -- I
10 HAD A CONVERSATION WITH RICHARD DRURY, WHO IS THE
11 ATTORNEY FOR COMMUNITIES FOR A BETTER ENVIRONMENT,
12 ON FRIDAY AFTERNOON. HE SENT A FAX. WE'RE MISSING
13 ONE PAGE OF IT, WHICH WAS THE INITIAL PAGE, BUT WE
14 HAVE A DOCUMENT FROM HIM.

15 WE HAVE LETTERS FROM JOHN LAFRENZ,
16 LESTER ROBERTS, MARYLIN MCCARTHY, JOHN MRACEK,
17 TIMOTHY BRAND, STEVE BLOOM, MORGAN HOFF, WENDY
18 MEZILIS, AND A PHONE CONVERSATION FROM STEVE AND
19 ARLENE JACOBS FROM CUPERTINO.

20 ALL OF THESE WERE IN OPPOSITION TO
21 WHAT IS ALREADY AN EXISTING POLICY. I HAVEN'T READ
22 THEM ALL. I JUST LOOKED REAL QUICK AT THEM. I
23 DIDN'T GET A CHANCE TO READ THEM, BUT THEY'RE ALL

24 BEING STATED FOR THE RECORD.

25 THE -- A LOT OF THEM TALKED ABOUT

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1 LAST MINUTE INFORMATION ABOUT THIS ITEM. I WILL
2 SAY, JUST TO MAKE SURE THAT EVERYBODY UNDERSTANDS,
3 THIS ITEM -- THE POLICY AGENDA WAS FORMALLY
4 NOTICED JUST LIKE IT ALWAYS IS. WHAT WE DID IS,
5 BECAUSE SOME OF THE, AS JESS USED TO CALL IT,
6 NORMAL SUSPECTS MAY NOT HAVE KNOWN ABOUT IT, WE
7 SENT OUT A SPECIAL LETTER TO THEM TO LET THEM KNOW
8 THAT THIS ITEM WAS BEING HEARD. SO THEY FELL
9 WITHIN THE -- YOU KNOW, THEY FELL WITHIN THE
10 NOTICING. THEY JUST TOOK EXCEPTION THAT THEY
11 WEREN'T NOTICED THE FIRST DAY, I GUESS. SO I
12 THINK -- I WAS THE ONE THAT DIRECTED THEM TO BE
13 NOTIFIED SO THAT THEY HAD AN IDEA ABOUT THIS
14 THING.

15 MEMBER PENNINGTON: MR. CHAIRMAN, THE
16 ONLY QUESTION WOULD BE IS WAS THIS NOTICED --
17 PROPERLY NOTICED TEN DAYS BEFORE THIS MEETING,
18 AND
19 I THINK IT WAS.

20 CHAIRMAN JONES: ABSOLUTELY.
21 ABSOLUTELY.

22 OKAY. OUR FIRST ITEM IS GOING TO
23 BE
24 ITEM NO. 4, MS. TRGOVCICH.

25 MS. TRGOVCICH: CHAIRMAN JONES AND

23 MEMBERS, GOOD MORNING. I'M CAREN TRGOVCICH,
DEPUTY

24 DIRECTOR OF THE WASTE PREVENTION AND MARKET

25 DEVELOPMENT DIVISION.

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1 THE ITEM BEFORE YOU THIS MORNING IS
2 CONSIDERATION OF TWO REPORTS THAT THE BOARD
3 CONTRACTED FOR IN BOTH 1996 AND 1997. BEFORE I
4 TURN THE PRESENTATION OVER TO MARTHA GILDART, I'D
5 JUST LIKE TO BRIEFLY SUMMARIZE WHAT THOSE REPORTS
6 WERE.

7 BOTH OF THEM PERTAIN TO THE USE OF
8 TIRES AS A SUPPLEMENTAL FUEL IN VARIOUS TYPES OF
9 FACILITIES. THE FIRST REPORT, WHICH WAS CONTRACTED
10 WITH DAMES & MOORE BACK IN JUNE OF 1996, WAS
11 INTENDED TO ANALYZE EXISTING DATA ON EMISSION TEST
12 RESULTS AND RESIDUAL BY-PRODUCTS FROM A FULL RANGE
13 OF FACILITIES USING TIRES AS A FUEL SUPPLEMENT.

14 IN FEBRUARY OF '97, THE STAFF ACTED
15 ON THE BOARD'S TIRE ALLOCATION FOR FISCAL YEAR
16 '97-'98 THAT OCCURRED BACK IN NOVEMBER OF 1996, AND
17 WE ENTERED INTO A SUBCONTRACT THROUGH OUR EXISTING
18 LABORATORY SERVICES CONTRACT WITH THE M.S.
19 LABORATORIES AND WORK WITH SUB TO CARNOT TO PERFORM
20 EMISSIONS AND ASH ANALYSIS AT THE AIR PRODUCTS
21 FACILITY IN STOCKTON, CALIFORNIA.

22 THIS WAS OF ONE OF THE FIRST
23 FACILITIES LOOKING AT INCORPORATING TIRES AS A FUEL
24 SUPPLEMENT AS A COAL-FIRED COGENERATION FACILITY.

25 I'D LIKE TO POINT OUT FOR THE

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1 COMMITTEE MEMBERS AS WELL AS THE AUDIENCE THAT THE
2 CARNOT REPORT, THE REPORT FOCUSING ON THE
3 COAL-FIRED COGEN FACILITY, IS A VERY LENGTHY
4 REPORT. IT ACTUALLY EXISTS IN THREE VOLUMES. IT'S
5 UP TO A THOUSAND PAGES LONG. SO WHAT WE DID IN THE
6 LETTER THAT WE SENT OUT ADVISING INDIVIDUALS OF THE
7 EXISTENCE OF THIS MEETING AND THE FACT THAT THIS
8 ITEM WOULD BE CONSIDERED IS WE SUMMARIZED THE
9 RESULTS IN THE AGENDA ITEM ITSELF, AND WE INDICATED
10 THAT IF YOU WOULD LIKE EXCERPTS OF THE REPORT, WE
11 WILL MAKE THEM AVAILABLE UPON REQUEST.

12 SIMILARLY, FOR THE DAMES & MOORE
13 REPORT, WE MADE THE SAME ANNOUNCEMENT ON THE
14 AVAILABILITY OF THE REPORT, ALTHOUGH IT IS FAR
15 SHORTER IN LENGTH. IT IS APPROXIMATELY 50 PAGES
16 LONG. WE WERE, HOWEVER, UNABLE TO COMPLY WITH
17 REQUESTS TO PROVIDE THE DAMES & MOORE REPORT
18 BECAUSE WE DID NOT RECEIVE THAT REPORT IN OUR
19 OFFICES. ALTHOUGH IT WAS COMMITTED TO BE PROVIDED
20 TO US FAR EARLIER, WE DID NOT RECEIVE IT UNTIL 4:45
21 ON FRIDAY NIGHT. SO WE MADE WHAT COPIES WE COULD.

22 THIS REPORT HAS BEEN UNDERGOING PEER
23 REVIEW SINCE THE MAY/JUNE TIME PERIOD OF THIS
24 YEAR. THIS IS BY NO MEANS THE FIRST TIME THAT THIS
25 INFORMATION IS OUT, AND THE REPORT THAT WE WERE TO

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1 RECEIVE FRIDAY NIGHT WAS INCORPORATING COMMENTS AND
2 CHANGES THAT CAME IN FROM THAT PEER REVIEW.

3 THUS, WHILE WE WILL BE PRESENTING THE
4 INFORMATION FOR BOTH OF THE TWO REPORTS, FOR THE
5 DAMES & MOORE REPORT, STAFF WILL NOT BE
6 RECOMMENDING APPROVAL OF THE REPORT IN COMPLIANCE
7 WITH THE TERMS OF THE CONTRACT ENTERED INTO. WE
8 WILL BE RECOMMENDING THAT THIS ITEM BE HELD OVER TO
9 THE BOARD MEETING, SO WE HAVE SOME TIME TO REVIEW
10 THE REPORT, ENSURE THAT COMMENTS WERE INCORPORATED
11 BY THE VARIOUS PARTIES, AND BRING THAT TO BECOME A
12 TRUE FINAL DRAFT REPORT FOR THE BOARD'S
13 CONSIDERATION.

14 I WOULD LIKE TO JUST MAKE THE POINT,
15 THOUGH, THAT THE ANALYSIS, THE DATA, DID NOT CHANGE
16 FROM THE REPORT THAT WAS INITIALLY ISSUED IN DRAFT
17 FORM LAST JUNE. IT IS NOT THE ANALYSIS, NOR THE
18 FINDINGS THAT HAVE CHANGED; IT IS SIMPLY THE
19 FORMAT. AND, IN FACT, WHAT WE ARE LOOKING TO DO IS
20 INCLUDE SOME OF THE ITEMS THAT WERE IN THE JUNE
21 DRAFT EDITION BACK INTO THE FINAL DRAFT REPORT THAT
22 WERE SOMEHOW OMITTED BETWEEN JUNE AND TODAY.

23 WITH THAT, I'D LIKE TO TURN THE

24 PRESENTATION OVER TO MARTHA.

25 MS. GILDART: GOOD MORNING. I'M GOING
TO

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1 PRESENT SOME OF THE RESULTS. SOME OF THE TABLES
2 AND FIGURES I'LL BE USING ARE OUT OF THE COPIES
OF
3 THE REPORTS YOU'VE BEEN GIVEN. SOME OF THEM ARE
4 FROM THE EARLIER DRAFT. THIS WAS ONE OF THE
5 CONCERNS THAT WE HAD WITH THE LATEST SUBMISSION
BY
6 DAMES & MOORE IS THEY OMITTED SOME FIGURES THAT
WE
7 THOUGHT WERE PARTICULARLY ILLUSTRATIVE OF THE
8 ISSUES.

9 I'M GOING TO START WITH THE DAMES &
10 MOORE REPORT RESULTS AND THEN MOVE INTO THE
CARNOT.

11 THE DAMES & MOORE REPORT, AS CAREN INDICATED, WAS
12 THE BROADER SPECTRUM. THEY CONTACTED 28
13 FACILITIES, INCLUDING CEMENT KILNS, ENERGY
14 PRODUCTION FACILITIES, AND PULP AND PAPER PLANTS,
15 ANYONE THAT THEY WERE AWARE OF THAT HAD USED
TIRES
16 AS A FUEL SUPPLEMENT TO SEE IF THEY COULD ACQUIRE
17 DATA.

18 THE DATA OBTAINED FROM THESE 28

19 FACILITIES RANGED BOTH IN WHAT SORTS OF COMPOUNDS
20 AND CHEMICALS WERE TESTED FOR, AS WELL AS THE
TEST
21 METHOD USED. SO SOME OF THESE COMPARISONS ARE
ONLY
22 VERY BROAD BASED COMPARISONS. IT'S NOT SOMETHING
23 THAT WOULD ACTUALLY SUFFICE FOR A REGULATORY
24 PROCEEDING, BUT IT GIVES YOU A SENSE, WHEN YOU
LOOK
25 AT ANY OTHER SPECIFIC TEST DATA, WHETHER THEY
FALL

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1 WITHIN THOSE RANGES.

THIS FIRST ONE SHOWS COMPARISON OF
THE CRITERIA POLLUTANTS. CRITERIA POLLUTANTS ARE
THOSE FOR WHICH NATIONAL AMBIENT AIR QUALITY
STANDARDS HAVE BEEN SET. IT INCLUDES CARBON
MONOXIDE, OXIDES OF NITROGEN, PARTICULATE MATTER,
SULFUR DIOXIDE.

8 THE DATA PRESENT THE BASELINE
9 EMISSION RANGE, MAXIMUM AND MINIMUM. THAT'S USING
10 THEIR NORMAL FUEL. SOME OF THESE FACILITIES ARE
11 COAL-FIRED. SOME OF THESE FACILITIES ARE WOODWASTE
12 FIRED. THE PULP AND PAPER MILLS IN PARTICULAR
13 GENERALLY USE WOODWASTE.

THE SECOND SET OF COLUMNS, TDF
RESULTS, ARE THOSE EMISSIONS WHEN THEY USE THE
TIRES AS A FUEL SUPPLEMENT. IF YOU LOOK, IN
CERTAIN INSTANCES, SOME COMPOUNDS INCREASED THEIR
MAXIMUMS AND IN SOME INSTANCES DECREASED. THIS IS
NOT UNEXPECTED. CARBON MONOXIDE, IF YOU LOOK,
INCREASED IN THE MAXIMUM, BUT THE MINIMUMS ARE
SIMILAR. OXIDES OF NITROGEN, YOU WILL NOTICE THAT
IN ALL CASES THE RANGE DECREASED. NOW THAT DOESN'T
MEAN AN INDIVIDUAL PLANT MAY NOT HAVE EXPERIENCED
AN INCREASE, BUT THE OVERALL RANGE OF EMISSIONS.

25 PARTICULATE MATTER HAS A TENDENCY TO

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1 INCREASE. SULFUR DIOXIDE APPARENTLY DECREASES.
2 WE'VE GOT A GRAPHICAL PRESENTATION. THIS IS ONE OF
3 THE FIGURES THAT YOU DO NOT FIND IN THE CURRENT
4 COPY OF THE DAMES & MOORE REPORT WE JUST HANDED
5 OUT, AND THAT'S ONE OF THE ISSUES WE'RE TRYING TO
6 DEAL WITH IN HOW TO FOLD BACK IN SOME OF THESE
7 FIGURES.

8 THIS IS A GRAPHICAL REPRESENTATION OF
9 THE CARBON MONOXIDE RANGES. IT SHOWS FOR THE
10 DIFFERENT FACILITIES, AND THOSE STARTING WITH C ARE
11 CEMENT KILN, E ARE ENERGY. THE LETTER AND NUMBERS
12 ALONG THE AXIS THERE, THE HORIZONTAL AXIS, THE
13 FACILITY C IS FOR THE CEMENT KILNS, E IS FOR THE
14 ENERGY FACILITIES, P IS FOR PULP AND PAPER PLANTS
15 IN THIS MISCELLANEOUS.

16 AS YOU WILL NOTICE, IN MOST CASES
17 CARBON MONOXIDE DOES INCREASE. IN A FEW CASES IT
18 DECREASES. THE BAR GRAPH GOING ABOVE THE LINE
19 REPRESENTS AN INCREASE IN EMISSIONS. HOWEVER, THIS
20 IS THE RESULT FOR THE OXIDES OF NITROGEN. AS YOU
21 WILL NOTICE, THERE ARE SIGNIFICANT DECREASES ALMOST
22 ACROSS THE BOARD FOR THESE FACILITIES. AND I'M
23 GOING TO GIVE YOU A LITTLE COMBUSTION BACKGROUND
24 HERE.

25 TYPICALLY WHEN BURNING AN ORGANIC

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1 FUEL, YOU ARE USING ATMOSPHERIC OXYGEN, WHICH MEANS
2 YOU ARE GOING TO HAVE NITROGEN, MOLECULAR NITROGEN,
3 PRESENT. OUR ATMOSPHERE IS 78 PERCENT NITROGEN.
4 UNDER HIGH TEMPERATURES MOLECULAR NITROGEN BREAKS
5 DOWN INTO ATOMIC NITROGEN. IT'S VERY REACTIVE. IT
6 FORMS OXIDES OF NITROGEN.

7 TO GET COMPLETE COMBUSTION OF AN
8 ORGANIC FUEL, YOU NEED HIGH TEMPERATURES. THERE IS
9 TYPICALLY A CLASSICAL AIR POLLUTION CONTROL
10 PARADOX. AS YOU INCREASE CONTROL ON CARBON
11 MONOXIDE, YOU DECREASE CONTROLS OVER FORMATION OF
12 NITROGEN, SORT OF A CROSS-OVER POINT WHERE THE
13 HIGHER THE TEMPERATURE, THE LOWER THE CARBON
14 MONOXIDE, BUT THE HIGHER THE OXIDES OF NITROGEN.

15 SO DEPENDING UPON WHETHER A FACILITY
16 IS LOCATED IN A NONATTAINMENT ZONE FOR OZONE OR
FOR
17 CARBON MONOXIDE, THEY WILL GEAR THEIR OPERATION
IN
18 ONE DIRECTION OR THE OTHER. THEY CAN
19 PREFERENTIALLY DECREASE CO AND INCREASE NOX IF
THEY
20 FEEL THAT IS IN THE NEEDS OF THEIR AIR QUALITY

21 PERMITS, OR THEY CAN OPERATE AT LOWER
TEMPERATURES,

22 SLIGHTLY INCREASING CO AND DECREASING NOX.

23 THERE ARE THEN ALSO ADDITIONAL
24 CONTROLS THAT CAN BE PUT ON FOR OXIDES OF
NITROGEN.

25 IN SOME FACILITIES YOU CAN USE NONSELECTIVE

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1 CATALYTIC REDUCTION AMMONIA INJECTION TO REACT
WITH
2 THE NOX. SO THE POINT HERE IS THAT THESE
3 FACILITIES, IF THEY'RE SITED IN CALIFORNIA OR IF
4 THEY'RE WANTING TO USE TIRES IN CALIFORNIA, MORE
5 OFTEN ARE ATTEMPTING TO CONTROL FOR OXIDES OF
6 NITROGEN. MANY AREAS OF CALIFORNIA ARE
7 NONATTAINMENT FOR OZONE. NITROGEN OXIDES ARE
8 PRECURSORS TO OZONE. THEY CAN OPERATE IN SUCH A
9 WAY AS TO DECREASE OXIDES OF NITROGEN BY USING
10 TIRES AND ACTUALLY IMPROVE THEIR OVERALL
EMISSIONS.

11 IT MAY INCREASE CARBON MONOXIDE. AND THAT UP
TILL
12 NOW HAS BEEN THE ACCEPTABLE TRADE-OFF TO AIR
13 QUALITY DISTRICTS.

14 THIS NEXT TABLE WILL PROBABLY NOT
15 SHOW UP TOO WELL ON THE T.V. CAMERA, BUT IT'S
JUST
16 TO SHOW YOU THE LENGTH, THE NUMBER OF COMPOUNDS
17 EXAMINED BY THE STUDY.

18 THIS IS A LIST OF THE METALS
RESULT.

19 ONE NOT UNEXPECTED RESULT WAS THE INCREASE IN
20 ZINC. IF YOU LOOK DOWN AT THESE TWO NUMBERS AT
THE
21 BOTTOM OF THE PAGE, ZINC EMISSIONS DO HAVE A
22 TENDENCY TO INCREASE, BUT THERE ARE OTHERS THAT
23 WILL ACTUALLY DECREASE.
24 UNFORTUNATELY I DON'T HAVE THE
GRAPH,
25 AND THIS IS WHAT WE WANT TO GET FROM DAMES &
MOORE,

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1 A SIMILAR GRAPH SHOWING THE METALS INCREASES AND
2 DECREASES, SO YOU CAN QUICKLY GET A READ ON WHAT
3 THE CHANGES ARE.

4 THEY ALSO RAN THROUGH A VERY LONG
5 LIST OF ORGANIC COMPOUNDS, AND IT ALSO SHOWS THIS
6 VARIATION. SOME INCREASE; SOME DECREASE. ONE OF
7 THE ORGANIC COMPOUNDS YOU HEAR A LOT OF IS DIOXIN.
8 AND I APOLOGIZE, OUR COMPUTERS FROZE UP THIS
9 MORNING, SO YOU'VE NOW HANDWRITTEN, HAND-DRAWN
10 DIAGRAMS.

11 JUST SO PEOPLE CAN UNDERSTAND WHAT
12 THE CONTROVERSY IS ABOUT DIOXIN, THIS IS THE BASIC
13 MOLECULE, THE BUILDING BLOCK THAT FORMS DIOXIN.
14 IT'S TWO BENZENE RINGS CONNECTED BY TWO OXYGENS
15 SHOWN IN THE MIDDLE. THOSE NUMBERS, ONE THROUGH
16 NINE, SHOW LOCATIONS WITHIN THE MOLECULE WHERE
17 CHLORINE ATOMS CAN ATTACH, AND THAT'S WHAT MAKES
18 IT
18 A POLYCHLORINATED DIBENZO P DIOXIN.

19 NOW, INTERESTINGLY ENOUGH, THE MOST
20 TOXIC FORM OF DIOXIN IS WHAT THEY CALL THE 2378
21 TETRACHLORINATED DIBENZO P DIOXIN. THAT'S WHEN
22 YOU
22 HAVE CHLORINE ATOMS AT THE LOCATIONS ON THE RING
23 INDICATED BY A TWO, THREE, SEVEN, AND EIGHT.

24 IN TESTING FOR DIOXINS, AND THERE'S
25 SOMETHING LIKE 75 DIFFERENT CONGENERS OF DIOXINS,
17

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1 THE ONES THAT ARE OF CONCERN TO THE REGULATORY
2 COMMUNITY ARE THOSE WHICH HAVE CHLORINE ATOMS IN
3 THESE FOUR POSITIONS. SO WHAT THEY WILL TYPICALLY
4 DO IS RUN THROUGH A TEST IDENTIFYING WHAT DIOXINS
5 ARE PRESENT, THEN DO A MATHEMATICAL CALCULATION
6 BASED ON INTERNATIONAL STANDARDS TO CONVERT THEM
7 ALL TO THE EQUIVALENTS -- TETRA EQUIVALENTS, AND
8 THOSE WILL BE THE EMISSIONS THAT THE HEALTH RISKS
9 ARE BASED UPON.

10 IF YOU LOOK HERE ON THIS LIST, I'LL
11 TRY AND ZOOM IN AND MOVE IT AROUND, YOU WILL NOTICE
12 ON THE LEFT-HAND COLUMN HERE, THERE'S A LISTING OF
13 DIFFERENT HEPTA, HEXA, AND OCTA, PENTA, AND
14 TETRACHLORINATED DIOXINS. IT SHOWS THE MAXIMUM
15 RATE. IF YOU WILL NOTICE, FOR 2378
16 TETRACHLORINATED DIBENZO P DIOXIN, THE 1.3 TIMES
17 TEN TO THE NEGATIVE EIGHTH POUNDS PER HOUR IS THE
18 MAXIMUM; AND IF YOU WILL NOTICE WITH TIRES, IT DID
19 INCREASE SLIGHTLY 1.96 TIMES TEN TO THE NEGATIVE
20 EIGHTH.

21 WHEN YOU ARE TALKING IN, YOU KNOW,
22 PARTS PER BILLION AND PARTS PER TRILLION, THOSE ARE
23 FAIRLY SMALL INCREASES. HOWEVER, IF YOU WILL LOOK
24 HERE WHERE IT SAYS PCDD AND THEN IN PARENTHESES IT
25 SAYS TEQ, THAT'S THE TETRA EQUIVALENT, THAT'S THE

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1 CALCULATED NUMBER I WAS EXPLAINING. THE TWO
2 NUMBERS, THE TWO MAXIMUMS, ARE 8.3 TIMES TEN TO THE
3 NEGATIVE EIGHTH AND 5.8 TIMES TEN TO THE NEGATIVE
4 EIGHTH. IN THIS INSTANCE, WHEN YOU LOOK AT THE
5 TOXIC EQUIVALENT CALCULATED FORM, THERE WAS A
6 DECREASE IN THE RANGE. AND THIS IS SOMETHING THAT
7 HAS SHOWN UP, AND I WILL BE GOING INTO THE CARNOT
8 DATA SHORTLY.

9 THERE HAS BEEN A TENDENCY FOR
10 WHATEVER THE CHEMISTRY IS WITHIN THE COMBUSTION
11 ZONE USING TIRES TO SOMETIMES INCREASE THE 2378
12 TETRA FORM OF THE DIOXIN, BUT THE OVERALL EMISSIONS
13 OF DIOXIN, PARTICULARLY WHEN THEY'RE PUT ON THIS
14 RISK-BASED CALCULATION, DECREASE. SO YOU CAN HAVE
15 A BASIS FOR ARGUMENT IN EITHER DIRECTION, AND YOU
16 WILL HEAR PEOPLE ARGUING IN EITHER DIRECTION.

17 TO GO INTO THE RESULTS OF THE CARNOT
18 TESTING, CARNOT IS THE EMISSIONS TESTING LABORATORY
19 THAT WORKED FOR US UNDER A SUBCONTRACT TO TEST AT
20 AIR PRODUCTS FACILITY IN STOCKTON, WHICH IS A
21 CIRCULATING FLUIDIZED BED COAL COMBUSTER. THAT
22 MEANS THEY USE SUFFICIENT AIR INJECTED INTO THE
23 COMBUSTION ZONE AND THROUGH THE BOTTOM OF THE

24 FACILITY THAT IT ACTUALLY KEEPS EVERYTHING IN
25 MOVEMENT. THERE'S LIKE A SAND-LIKE MATERIAL IN

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1 THERE. THE COAL AND THE TIRE IS INJECTED INTO
2 THAT. THE AIR KEEPS IT ALL IN MOVEMENT. YOU GET
3 EXTREMELY THOROUGH COMBUSTION, AND THESE ARE VERY,
4 VERY LOW EMITTING FACILITIES.

5 THESE -- THIS GRAPH WAS INCLUDED IN
6 THE AGENDA PACKET. IT SHOWS THE CRITERIA
7 POLLUTANTS, NOX, SOX, CARBON MONOXIDE, PARTICULATE
8 MATTER. THE DARK BAR IS THE COAL ONLY BASELINE FOR
9 1995. THE WHITE BAR IS THEIR PERMIT LIMIT AS
10 ISSUED BY THE SAN JOAQUIN VALLEY UNIFIED AIR
11 POLLUTION CONTROL DISTRICT, AND THE BAR IN THE
12 MIDDLE, THE LIGHT GRAY ONE, IS WHAT THEY TESTED
13 WITH TIRES.

14 AS YOU WILL NOTICE, THERE WAS A
15 SLIGHT INCREASE IN NOX, A SIGNIFICANT DECREASE IN
16 SOX, THE CO WAS KEPT SORT OF AT THE SAME LEVEL,
17 IT'S HOW THEY OPERATE THE FACILITY, AND AN ACTUAL
18 DECREASE IN PM. NOW, THIS IS SOMEWHAT DIFFERENT
19 FROM THE RANGE OF VALUES WE SAW WITH THE DAMES &
20 MOORE, BUT IT IS WITHIN THOSE RANGES.

21 THESE DATA WERE EXAMINED BY THE AIR
22 POLLUTION CONTROL DISTRICT, AND WE HAVE A
23 REPRESENTATIVE IN THE AUDIENCE TODAY, WHO, IF YOU

24 HAVE QUESTIONS, COULD ANSWER THEM, BUT THEY FELT IT
25 WAS WITHIN ALL TERMS OF THE PERMIT.

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1 ONE OF THE THINGS, I'M GOING TO HAVE
2 TO USE SOME OF THESE TABLES IN ITEM NO. 2 WHEN
3 WE'RE TALKING ABOUT THE OVERALL POLICY. EXCUSE ME
4 AS I FLIP THROUGH THESE.

5 THE AIR PRODUCTS FACILITY WENT
6 THROUGH A CALCULATION, ONCE AGAIN, TO DETERMINE
7 RISKS. THEY SPLIT THEM BETWEEN CARCINOGENIC
8 EFFECTS AND NONCARCINOGENIC EFFECTS, BOTH ACUTE AND
9 CHRONIC. THEY HAVE TRIED TO COMPARE THE RISK
10 BETWEEN THEIR BASELINE, WHICH IS THE 1995, AND THE
11 OPERATION WITH THE TIRE FUEL. AS YOU WILL SEE, THE
12 CARCINOGENIC RISK DECREASED ONCE THEY ADDED THE
13 TIRES. THAT'S INDICATED WHEN IT SAYS THE TOTAL
14 RISK IS .92 VERSUS 1.48. THIS IS WHEN THEY PUT IT
15 ON A UNIT RISK BASIS AND THEY GO THROUGH ALL THE
16 DIFFERENT EMISSIONS. WHAT THEY'VE SHOWN HERE IS
17 THE THREE TOP CONTRIBUTORS TO THE RISK.

18 YOU WILL NOTICE CHROME 6 IS ONE OF
19 THE CONTENDERS, AS IS NICKEL AND ARSENIC. THEY
20 SOMEWHAT CHANGE POSITION IN THE TWO DIFFERENT TESTS
21 DEPENDING UPON THEIR EMISSIONS RATES.

22 THE NONCARCINOGENIC EFFECTS, AND THEY
23 LOOK AT BOTH CHRONIC AND ACUTE, WHICH IS SHORT-TERM
24 AND LONG-TERM, AS YOU WILL NOTICE, THERE IS WITH
25 THE TIRE FUEL A SLIGHT INCREASE IN CHRONIC, BUT

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1 THEN THE ACUTE IS A PUSH. SO THE TENDENCY, WHEN
2 RISK ASSESSORS ARE LOOKING AT THESE SORTS OF
3 EMISSIONS, WAS TO LOOK AT THE TOTAL TO SEE WHETHER
4 OR NOT IT CHANGES THEIR LISTING ON THEIR PERMIT.
5 AND AS WE'VE BEEN TOLD, THE SAN JOAQUIN AIR
6 DISTRICT IS SATISFIED THAT THERE HAS BEEN NO
7 SIGNIFICANT CHANGE.

8 MEMBER RELIS: MR. CHAIR. MARTHA, I'D
9 LIKE TO ASK. COULD YOU JUST DEFINE FOR US THE
10 TERMS "ACUTE" AND "CHRONIC" IN THIS SENSE.

11 MS. GILDART: ACUTE WOULD BE SHORT TERM;
12 THAT IS, IF YOU HAD ONE EXPOSURE OR AN EXPOSURE TO
13 A HIGH LEVEL OVER A BRIEF PERIOD OF TIME, WHAT
14 RISK
15 WOULD YOU EXPERIENCE. CHRONIC IS TYPICALLY A
16 LOWER
17 LEVEL EXPOSURE FOR YEARS AND YEARS AND YEARS. FOR
18 INSTANCE, WHEN YOU ARE DOING A CLASSICAL HEALTH
19 RISK ASSESSMENT, THEY TYPICALLY LOOK AT THE
20 AMBIENT

21 AIR QUALITY AND DETERMINE WHAT YOUR RISK IS OVER A
22 70-YEAR LIFE SPAN, ASSUMING THAT YOU LIVE AT THAT
23 SITE FOR 70 YEARS, DRINKING WATER FROM THAT SITE,
24 FISH THAT WERE RAISED IN A POND, VEGETABLES GROWN
25 IN THE GARDEN AT THAT SITE, AND THEY CALCULATE ALL

23 THAT ON LONG-TERM EXPOSURE.

24 THE ACUTE ONE IS SOMETHING MORE LIKE

25 YOU WOULD EXPERIENCE IF YOU WERE LIKE RIGHT WITHIN

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1 THE DOWNWASH OF THE STACK FOR A SHORT PERIOD OF
2 TIME OR SOMETHING.

3 MEMBER RELIS: THANK YOU.

4 MS. TRGOVCICH: MAYBE, MARTHA, BEFORE
5 YOU CONTINUE, JUST TO CLARIFY, MARTHA JUST
6 MENTIONED THAT THE AIR QUALITY MANAGEMENT DISTRICT
7 FOR SAN JOAQUIN UNIFIED VALLEY HAS INDICATED THAT
8 THIS LOOKS GOOD.

9 I'D LIKE TO JUST POINT OUT THAT, AND
10 PERHAPS LATER WE'LL HEAR FROM ONE OF THE SPEAKERS,
11 SPECIFICALLY AIR PRODUCTS THEMSELVES, ABOUT THE
12 PROCESS THAT THEY'RE GOING THROUGH AND WHAT THEY'RE
13 DOING WITH THIS INFORMATION.

14 WE'VE HAD PRELIMINARY CONVERSATIONS
15 INDICATING THAT UNDER THE TOXIC HOT SPOTS PROGRAM,
16 THAT THIS DATA REFLECTS NO CHANGE IN TERMS OF HOW
17 THE FACILITY IS LOOKED AT, BUT WE DO NOT HAVE THAT
18 CONFIRMED IN WRITING AT THIS POINT.

19 AND THEN THE REPRESENTATIVE FROM THE
20 AIR POLLUTION CONTROL DISTRICT, AS IT WOULD RELATE
21 TO THE FACILITY'S ACTUAL PERMIT AND ANY
22 MODIFICATIONS THAT WOULD NEED TO BE MADE, THEY HAVE
23 NOT GONE THROUGH THAT PROCESS YET, BUT I THINK THAT

24 THEY COULD PROVIDE MAYBE JUST SOME GENERAL
25 INFORMATION AROUND WHAT THEY SEE IN THIS

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1 INFORMATION A LITTLE LATER TOO.

2 MS. GILDART: I'VE MOSTLY COMPLETED THE
3 PRESENTATION OF THE RESULTS WE THOUGHT OF
4 INTEREST. AS CAREN POINTED OUT, THE DAMES & MOORE
5 REPORT, WHICH CAME IN ON FRIDAY, STAFF BELIEVES
6 NEEDS SOME MORE WORK ON THE FORMAT AND
7 PRESENTATION. WE'RE NOT GOING TO BE ASKING FOR
8 ADDITIONAL ANALYSES OR DATA COLLECTION, BUT WE WANT
9 SOME CHANGES MADE IN THE LANGUAGE AND IN THE TABLES
10 AND FIGURES, SO WE WILL BE WORKING WITH DAMES &
11 MOORE ON THOSE. AT THIS POINT IF THERE ARE ANY
12 QUESTIONS.

13 MS. TRGOVCICH: MAYBE JUST TO SUMMARIZE
14 FOR THE COMMITTEE, THEN, WHAT THIS ITEM IS BEFORE
15 YOU TODAY IS CONSIDERATION OF THE ACCEPTANCE OF
16 THESE TWO REPORTS AS IT RELATES TO THE CONTRACTUAL
17 OBLIGATION OF BOTH DAMES & MOORE AND CARNOT HAD.
18 AND TO GO BACK TO MY COMMENTS AT THE OUTSET OF THIS
19 ITEM, WE FEEL THAT THERE'S MORE WORK WITH DAMES &
20 MOORE, AS MARTHA STATED AS WELL, SO IT WOULD BE THE
21 STAFF RECOMMENDATION THAT YOU ACCEPT THE REPORT AS
22 PREPARED BY CARNOT AND SUBMIT IT IN COMPLIANCE WITH
23 THE CONTRACTUAL TERMS AND AGREEMENT, AND THAT YOU

24 DIRECT STAFF TO WORK TO FINALIZE THE REPORT WITH
25 DAMES & MOORE PRIOR TO THE BOARD MEETING.

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1 CHAIRMAN JONES: OKAY. IF THAT'S IT,
2 MARTHA, WE HAVE ONE -- WE HAVE ONE SPEAKER SLIP,
3 AND THAT IS FROM MR. JOHN BENNETT.

4 MR. BENNETT: GIVEN THE STAFF RECOMMENDA-
5 TION, I DON'T NEED TO MAKE A COMMENT, MR. JONES.

6 CHAIRMAN JONES: OKAY. WE HAVE ON THIS
7 ITEM MR. PAUL VALLONE FROM AIR PRODUCTS.

8 MR. VALLONE: GOOD MORNING. MY NAME IS
9 PAUL VALLONE. I'M THE MANAGER OF THE AIR PRODUCTS
10 STOCKTON COGEN FACILITY. I JUST WANTED TO THANK
11 BOTH MARTHA AND CAREN AS WELL AS THE REST OF THE
12 STAFF MEMBERS FROM THE BOARD, THE INTEGRATED WASTE
13 MANAGEMENT BOARD, AS WELL AS THE -- OUR LOCAL AIR
14 DISTRICT FOR COOPERATING WITH US FOR THIS TEST.

15 WE ALSO PRETTY MUCH AGREE WITH
16 EVERYTHING THAT MARTHA JUST PRESENTED TO YOU. THE
17 ONLY REAL ONE TECHNICAL ISSUE WAS THAT IN THE
18 SUMMARY THAT YOU ALL SENT OUT, YOU PUT THAT WE
19 BLENDED UP TO 20 PERCENT TDF, AND IT ACTUALLY WAS
20 ONLY 14 PERCENT. I DIDN'T WANT TO CONFUSE THE
21 ISSUE AT ALL.

22 BUT I WOULD LIKE TO SAY THAT WE ALSO
23 AGREE AND ARE PRETTY MUCH ENCOURAGED AS FAR AS WHAT
24 THE RESULTS WE'VE SEEN SO FAR. WE HAD THREE
25 MILESTONES THAT WE WERE TRYING TO ACHIEVE BEFORE WE

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1 WOULD BE ABLE TO USE TIRE-DERIVED FUEL AS A PORTION
2 OF OUR FUEL MIX. ONE OF THEM IS TO DEMONSTRATE
3 TECHNICAL FEASIBILITY AND ALSO TO SHOW THAT WE
4 DIDN'T HAVE NO NET INCREASE IN OUR EMISSIONS.

5 ONE THING MARTHA DID NOT TALK ABOUT
6 WAS THE FACT THAT WE WERE ABLE TO ESTABLISH THAT IT
7 WAS TECHNICALLY FEASIBLE TO HANDLE AND UTILIZE THE
8 TDF MATERIAL IN OUR FACILITY AND CONTROL OUR
9 EMISSIONS AS WELL AS MAKE SURE THAT WE WERE ABLE TO
10 MAINTAIN SIMILAR TYPE COMBUSTION CHARACTERISTICS.

11 ANOTHER THING THAT WE WERE VERY
12 INTERESTED IN WAS ON OUR ASH BY-PRODUCT THAT WE
13 GENERATE. THE ASH THAT WE GENERATE WITH BOTH COAL
14 AND PETROLEUM COKE WHEN WE COAL FIRE THOSE
15 MATERIALS IS A NONHAZARDOUS MATERIAL THAT WE FOUND
16 HAS A NUMBER OF DIFFERENT BENEFICIAL ASH REUSE
17 APPLICATIONS, AND WE WERE CONCERNED TO MAKE SURE
18 THAT WE WOULD BE ABLE TO MAINTAIN THOSE. AND WE
19 ARE ABLE TO.

20 THE MATERIAL, THE ASH THAT WE
PRODUCE

21 DURING THIS PERIOD OF TIME WAS ANALYZED AND IS
22 STILL CONTINUING TO BE CLASSIFIED AS A
NONHAZARDOUS

23 MATERIAL. AND WE WERE ABLE TO CONTINUE TO UTILIZE

24 IT IN A SIMILAR TYPE OF ASH REUSE PROGRAM THAT WE
25 HAD IN THE PAST.

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1 TWO OTHER THINGS THAT WE NEED TO DO
2 BEFORE WE MOVE IS, ONE, TO MAKE SURE THAT THERE'S
3 A -- THAT THE MATERIAL FROM AN ECONOMIC STANDPOINT
4 HAS A COST -- NEGATIVE COST OR IMPROVEMENT IN OUR
5 OPERATING COST. AND WE'RE WORKING CURRENTLY WITH A
6 NUMBER OF THE TIRE SUPPLIERS TO FEEL COMFORTABLE
7 THAT IS THE CASE.

8 PRELIMINARILY WE DO FEEL FAIRLY
9 CONFIDENT THAT WE CAN BE ABLE TO USE THIS MATERIAL
10 AND REDUCE OUR NET COST AT OUR FACILITY, WHICH IS
11 THE INTEREST THAT WE HAVE AS FAR AS TO BE ABLE TO
12 HANDLE TDF.

13 AND THE FINAL THING THAT WE NEED TO
14 DO IS GAIN COMMUNITY ACCEPTANCE THAT THIS IS A
15 WIN-WIN FOR BOTH THE COMMUNITY AS WELL AS FOR OUR
16 FACILITY. WE'VE MADE SOME PRELIMINARY CONTACTS
17 WITH SOME OF THE COMMUNITY LEADERS AND HAVE BEEN
18 ENCOURAGED IN RECOGNIZING THAT THERE IS A PROBLEM
19 AS FAR AS WITH TIRES OUT IN CALIFORNIA AND THAT,
20 HOPEFULLY, FACILITIES SUCH AS OURS CAN BE PART OF A
21 SOLUTION TO THAT PROBLEM.

22 AND I'D BE HAPPY TO ANSWER ANY KIND
23 OF QUESTIONS ANYONE MIGHT HAVE.

24 CHAIRMAN JONES: QUESTIONS? THANKS, MR.
25 VALLONE.

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1 MEMBER PENNINGTON: MR. CHAIRMAN, I'M
2 PREPARED TO MOVE THE STAFF RECOMMENDATION TO ACCEPT
3 THE CARNOT REPORT AND TO FORWARD THE DAMES & MOORE
4 REPORT TO THE FULL BOARD.

5 MEMBER RELIS: MR. CHAIR, JUST A
6 QUESTION, SPEAKING TO THE MOTION. I UNDERSTAND IN
7 THE CARNOT REPORT, FROM WHAT -- I HAD TWO EXCERPTS
8 OR SECTIONS OF THIS REPORT -- THAT THE TESTS WERE
9 DONE IN A MANNER CONSISTENT WITH THE AIR RESOURCES
10 BOARD METHODOLOGY. THEY KEEP REFERRING TO VARIOUS
11 PROTOCOLS, I GUESS, ESTABLISHED BY THE AIR
12 RESOURCES BOARD FOR THIS TYPE OF TEST.

13 MS. TRGOVCICH: PERHAPS WHAT WE COULD DO
14 IS ASK STEVE HOWIE TO STEP FORWARD. HE KNEW HE
15 WOULDN'T GET AWAY WITHOUT GETTING UP HERE TODAY.
16 HE'S WITH THE SAN JOAQUIN VALLEY UNIFIED AIR
17 POLLUTION CONTROL DISTRICT. AND PERHAPS HE COULD
18 COME ON UP TO THE PODIUM AND DESCRIBE FOR YOU A
19 LITTLE BIT AROUND WHAT WAS INVOLVED IN THE APPROVAL
20 OF THE TEST BURN ITSELF.

21 MR. HOWIE: HOW YOU DOING? I AM STEVE
22 HOWIE. I'M A SENIOR AIR QUALITY ENGINEER OUT OF
23 THE MODESTO OFFICE OF THE SAN JOAQUIN VALLEY
24 UNIFIED AIR POLLUTION CONTROL DISTRICT. MY JOB
25 THERE IS IN THE PERMITTING SIDE FOR OUR CRITERIA

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1 POLLUTANTS. ALTHOUGH WE DO HAVE A SECTION DOWN IN
2 FRESNO FOR THE TOXICS, AND THEY'VE BEEN WORKING
3 REAL CLOSELY WITH THAT.

4 WHAT I'LL GO AHEAD AND DISCUSS WITH
5 YOU A LITTLE BIT IS, OF COURSE, A GENERAL IDEA OF
6 WHAT THEY'RE DOING AND SOME OF THE PROTOCOLS THAT
7 WENT INTO THE TESTING.

8 FIRST OF ALL, AS YOU KNOW, THEY DID
9 WANT TO BURN SOME TDF FUEL IN THEIR COAL-FIRED
10 FURNACE. ON AN ENGINEERING BACKGROUND, IF YOU KNOW
11 THAT MOST TDF FUELS ARE WHOLE TIRES OR LARGE
12 CHUNKS. MOST OF THE ONES WE -- EVEN ONE, MODESTO
13 ENERGY BURNS WHOLE TIRES IN A STOKER-TYPE METHOD.
14 IT MEANS YOU PILE THE TIRES ON A GRILL, THE GRILL
15 GETS HOT, THE TIRES BURN.

16 MEMBER RELIS: THAT'S ONE WE'RE VERY
17 FAMILIAR WITH.

18 MR. HOWIE: WHAT THESE PEOPLE HAD WANTED
19 TO DO IS GRIND THE TIRES UP IN VERY SMALL CHUNKS,
20 ALTHOUGH THE TESTS THEY DID WERE 4-INCH CHUNKS, THE
21 TIRES WERE THIS BIG OR SMALLER. THEY DO PLAN ON
22 DOING SMALLER CHUNKS YET, AND THE REASON FOR THIS
23 AND WHY THE EMISSIONS TEND TO BE A LITTLE LOWER IS
24 THERE IS MORE AREA FOR THE FIRE TO GET AROUND THE
25 FUEL. AND SINCE IT'S ALSO FLUIDIZED BED, THE FLAME

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1 WILL REACH ALL THE WAY AROUND IT. SO AS FAR AS
2 COMBUSTION, MUCH MORE THOROUGH COMBUSTION.

3 AS FAR AS THE NOX AND SOX, IT'S NOT
4 REALLY A CONCERN BECAUSE THEY DO USE EXTERIOR
5 EMISSION CONTROL DEVICES; I.E., AMMONIA FOR THE NOX
6 AND LIMESTONE INJECTION FOR THE SOX. SO THAT CAN
7 BE CONTROLLED REGARDLESS OF HOW THE FLAME IS
8 BURNING. THE BIG TRICK HERE IS CO. THAT'S A BIG
9 IDENTIFIER AS TO HOW WELL THE FLAME IS ACTUALLY
10 DOING, HOW WELL IT'S COMBUSTING. BECAUSE OF THE
11 LOW CO AS COMPARED TO A STOKER-TYPE UNIT, WE KNOW
12 IT'S BURNING EXTREMELY WELL. AND, OF COURSE,
13 BECAUSE OF THAT, OF HAVE A LITTLE BIT HIGHER
14 TEMPERATURES AND, OF COURSE, SOME OF THE METALS AND
15 SOME OF THE NONMETAL TOXICS TEND TO GET DESTROYED
16 BECAUSE OF IT.

17 AND THAT'S THE REASON WHY A LOT OF
18 THEIR NUMBERS ARE LOWER THAN MAYBE LIKE THE CEMENT
19 KILNS AND SOME OF THE OTHER PLACES MIGHT BE WHOLE
20 TIRES.

21 WHICH -- AS A DISTRICT WE DID HAVE
22 SOME RESERVATIONS AS TO DOING THIS BECAUSE MOST OF
23 OUR EXPERIENCE HAS BEEN FROM WHOLE TIRES. AND FROM

24 SEEING THE RESULTS, WE HAVE FOUND OUT THAT THE
25 NUMBERS ACTUALLY TURNED OUT REAL WELL. THE

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1 CRITERIA POLLUTANT EMISSIONS WERE WITHIN OUR
2 ACCEPTABLE LEVELS AND ARE ACTUALLY LOWER.

3 THE METALS, WE DO ON THE TOXIC
4 TEST -- SHE -- THE REPRESENTATIVE HAD EXPLAINED
5 THAT, THAT THEY'RE ADDITIVE, WHICH MEANS EACH METAL
6 GETS A NUMBER AND IT'S SCORED. EACH NUMBER IS
7 ADDED TOGETHER FOR A FINAL SCORE, AND THE FINAL
8 SCORE ACTUALLY TURNED OUT TO BE FAIRLY INSIGNIFI-
9 CANT COMPARED TO THE SCORE THAT IT WAS BEFORE UNDER
10 2588 TESTS, WHICH WAS -- WHICH MEANS THERE'S
11 PROBABLY MORE -- SOME TOXICS IN A -- YOUR COAL
12 THAT, SINCE YOU ARE BURNING LESS, WOULD BE LESS
13 COMING OUT THE STACK. AND, OF COURSE, CONVERSELY,
14 THERE MAY BE MORE, LIKE, ZINCS IN YOUR TIRES; BUT
15 AS OVERALL, IT WAS ABOUT THE SAME.

16 AS FAR AS DOING THE TEST, THE SOURCE
17 TEST, THEY'RE REQUIRED TO DO A SOURCE TEST BASED ON
18 WHAT WE RECOMMEND, AND WE DID RECOMMEND A FULL TEST
19 ON ALL CRITERIA POLLUTANTS AND ALL METALS. THE
20 ALL-METAL TEST WAS BASED ON 2588 -- AB 2588, WHICH
21 IS A STATE LAW DEVELOPED FOR LETTING PEOPLE KNOW
22 THE TOXIC EFFECTS OF CERTAIN PLANTS BY DOING TESTS.

23 ALL THE TEST PROTOCOL WAS BASED ON

24 EPA OR ARB TEST METHODS. IT REALLY DEPENDED ON
25 WHICH WAS MOST STRINGENT. LIKE FOR PARTICULATES,

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1 THE TEST METHODS FOR PARTICULATES WAS MUCH MORE
2 STRINGENT IN ARB INSTEAD OF THE EPA, SO WE DECIDED
3 WE WANTED TO USE THAT. ALL METALS WERE ARB SINCE
4 EPA DOESN'T HAVE A LOT OF THOSE.

5 MEMBER RELIS: SO ARE YOU SAYING THAT
6 WHEREVER THERE ARE TWO STANDARDS, THE STRICTER OF
7 THE TWO APPLIED?

8 MR. HOWIE: ALWAYS DO THE STRICTER OF THE
9 TWO. ONE GOOD REASON FOR THAT IS THAT THEY PASS
10 OURS, THEY WILL PASS THE EPA'S. EPA DOES HAVE
11 THEIR OWN STANDARDS IN THEIR FEDERAL REGISTER AND
12 THEIR CODE OF FEDERAL REGULATIONS THAT WE DO
13 FOLLOW; BUT BECAUSE OURS ARE MORE STRINGENT, WE
14 FIGURE IF IT PASSES OURS, IT'S GOING TO PASS THEIRS
15 AND IT DOES.

16 MEMBER RELIS: JUST ONE OTHER, AND THIS
17 MAY BE -- I DON'T KNOW WHO THIS IS DIRECTED TO, BUT
18 THIS TIES INTO OUR OVERALL DISCUSSION. I REALIZE
19 WE'RE LOOKING AT THE REPORT; BUT IF TIRES WERE JUST
20 BURNED, I MEAN WE'VE HAD TIRE PILES BURN IN THE
21 STATE, DO WE KNOW WHAT THE CHARACTERISTICS OF
22 THE
SMOKE FROM THOSE TIRES ARE VIS-A-VIS THIS

TYPE OF

23 ANALYSIS, OR IS THAT JUST INFERRED? I MEAN

IT'S A

24 LESS OBVIOUSLY CONTROLLED AND LOWER

TEMPERATURE

25 COMBUSTION.

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1 MS. GILDART: IT'S UNCONTROLLED
2 COMBUSTION, AND THE TEMPERATURES WILL RANGE
3 THROUGHOUT THE PILES, SO YOU GET ALL SORTS OF
4 DIFFERENT CONDITIONS OCCURRING. WE HAVE THE
5 RESULTS OF A SIMULATED OPEN BURN THAT WAS CONDUCTED
6 UNDER AN EPA GRANT WHERE THEY TOOK A COUPLE OF
7 TIRES AND CUT THEM IN PIECES AND PUT THEM INSIDE OF
8 A BURN UNIT AND JUST BURNED THEM AND TOOK EMISSION
9 TESTS. AND I WAS GOING TO SHOW SOME OF THESE
10 NUMBERS TO YOU AS PART OF THE SECOND ITEM.

11 MEMBER RELIS: HOLD THAT.

12 MS. GILDART: WE'RE ALSO AWARE THAT
13 DURING THE CHOPPERENA FIRE, WE HAVE HEARD THAT
14 THERE WAS AN AIR DISTRICT THERE DOING SOME DOWNWIND
15 MONITORING. WE'RE TRYING TO TRACK DOWN THOSE DATA.
16 WE HAVE NOT YET SEEN THEM THOUGH.

17 MR. HOWIE: JUST TO COMMENT, IF YOU BURN
18 TIRES IN AN OPEN ENVIRONMENT, YOU KNOW THERE'S
19 GOING TO BE A LOT MORE SMOKE AND A LOT MORE TOXICS
20 BECAUSE THERE'S NO WAY FOR THEM TO BE CONTAINED.
21 OF COURSE, IN A CONTROLLED ENVIRONMENT YOU CAN
22 CONTAIN THAT. AS YOU CAN SEE, THERE PROBABLY IS 5
23 PERCENT OPACITY, WHICH MEANS THE VISIBLE EMISSIONS
24 COMING OUT OF THE STACK ARE LESS VERSUS OVER A

25 HUNDRED PERCENT OF UNCONTROLLED.

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1 WITH THAT, THAT INCLUDES -- THAT ALSO
2 MEANS THAT THE TOXICS AND ALL THE OTHERS BECOME
3 DESTROYED AS WELL.

4 MEMBER RELIS: THANK YOU.

5 CHAIRMAN JONES: THANKS.

6 MEMBER RELIS: THEN, MR. CHAIR, I'M
7 PREPARED TO SECOND THE MOTION. I UNDERSTAND THE
8 MOTION IS TO ACCEPT THE CARNOT REPORT AND PASS ON
9 THE DAMES & MOORE REPORT WITHOUT RECOMMENDATION AS
10 STAFF. YES. SECOND.

11 CHAIRMAN JONES: PASS IT UP TO THE BOARD
12 FOR THE NEXT BOARD. OKAY, JEANNINE, WOULD YOU LIKE
13 TO CALL THE ROLL.

14 THE SECRETARY: BOARD MEMBER RELIS.

15 MEMBER RELIS: AYE.

16 THE SECRETARY: BOARD MEMBER PENNINGTON.

17 MEMBER PENNINGTON: AYE.

18 THE SECRETARY: CHAIRMAN JONES.

19 CHAIRMAN JONES: AYE. ALL RIGHT.

20 THE SECOND ITEM ON OUR AGENDA WAS
21 ORIGINALLY ITEM NO. 4 -- I'M SORRY -- ITEM NO. 2,
22 AND IT'S GOING TO STAY AS ITEM NO. 2 SINCE WE
23 DIDN'T HAVE ITEM NO. 1. MS. TRGOVCICH.

24 MS. TRGOVCICH: GOOD MORNING, CHAIRMAN
25 JONES AND MEMBERS AGAIN. THIS ITEM IS NECESSARILY

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1 SECOND IN LINE BECAUSE WHAT WE WANTED TO DO WAS TO
2 PRESENT TO YOU THE ACTUAL DATA ANALYSIS AND
3 FINDINGS FROM THE REVIEW OF THE VARIOUS FACILITIES,
4 THE 22 TYPES OF FACILITIES UNDER THE DAMES & MOORE
5 STUDY, AS WELL AS THE CARNOT EVALUATION OF THE
6 EMISSIONS AND ASH RESULTS FROM THE AIR PRODUCTS
7 FACILITY.

8 IT WAS NECESSARY TO PRESENT THAT
9 INFORMATION SO THAT YOU HAD A BASIS FOR
10 CONSIDERATION OF AGENDA ITEM NO. 2.

11 AGENDA ITEM NO. 2 IS AN ATTEMPT TO
12 BRING BACK BEFORE THIS COMMITTEE AND THE BOARD THE
13 POLICY STATEMENT THAT WAS ADOPTED BY THE BOARD BACK
14 IN 1992. AS YOU WILL REMEMBER, THE BOARD ADOPTED
15 THE REPORT "TIRES AS A FUEL SUPPLEMENT FEASIBILITY
16 STUDY," AND WITHIN THAT REPORT THERE WAS DIRECTION,
17 POLICY DIRECTION, TO THE STAFF AND TO ANY READER
18 THAT WE SHOULD PROVIDE SUPPORT FOR THE USE OF TIRES
19 AS A FUEL SUPPLEMENT IN CEMENT KILNS.

20 TIMES HAVE CHANGED; AND WHILE OUR
21 SUPPORT FOR THAT INDUSTRY HAS NOT LESSENEED IN TERMS
22 OF THE TECHNOLOGY ITSELF, NOT ANY ONE PARTICULAR
23 FACILITY, WE NOW HAVE NEW FACILITIES THAT ARE
24 INTERESTED IN LOOKING AT FIRES AS A FUEL SUPPLE-
25 MENT, SPECIFICALLY THE COAL-FIRE COGENERATION

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1 FACILITIES, OF WHICH THE CARNOT REPORT DOCUMENTED A
2 SINGLE TEST BURN.

3 AND SO WHAT WE ARE ATTEMPTING TO DO
4 IS TO, ONE, UPDATE THE POLICY THAT THE BOARD
5 ADOPTED BACK IN 1992, AND TO BRING IT BACK WITH
6 GREATER CONSIDERATION SO THAT THE STAFF WOULD TAKE
7 A MORE PROACTIVE ROLE AROUND THE TECHNOLOGY ITSELF,
8 NOT ANY ONE PARTICULAR FACILITY THAT MAY BE
9 PURSUING A SPECIFIC ACTION, BUT PROVIDING
10 INFORMATION ON THE TECHNOLOGY AS IT MAY RELATE TO
11 THE FACILITY ACTIONS OR AS JUST REQUESTED BY THE
12 GENERAL PUBLIC OR BY LOCAL PUBLIC OFFICIALS.

13 THIS ITEM THAT WILL BE PRESENTED TO
14 YOU BY MARTHA GILDART WILL SUMMARIZE THE POLICY
15 RECOMMENDATIONS THAT WE ARE SUGGESTING FOR YOUR
16 CONSIDERATION AROUND BOTH THE CEMENT KILNS AS
17 WELL
18 AS THE COAL-FIRE COGEN FACILITIES AS IT RELATES
19 TO

20 THIS USE OF TIRES AS A FUEL SUPPLEMENT.

21 CHAIRMAN JONES: MS. TRGOVCICH, I
22 THINK

23 THERE'S A TAPE THAT IS GOING TO -- EVERYTHING

THAT

21 WE DEAL WITH IS -- NEEDS TO BE IN CONTEXT. AND

I

22 THINK THAT THIS STATE, THIS BOARD HAS DONE A

23 TREMENDOUS JOB IN PUSHING A LOT OF MARKET

24 DEVELOPMENT ISSUES AND THINGS LIKE THAT. THERE

IS

25 A TAPE THAT WAS PRODUCED BY THIS BOARD TO --

AND

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1 THE FIRE MARSHAL OF THE STATE OF CALIFORNIA TO
2 PREPARE LOCAL JURISDICTIONS ON HOW TO DEAL WITH
3 OPEN TIRE FIRES, WHICH IS A PERFECT LEAD-IN BECAUSE
4 OF THE DISCUSSION JUST ON THE PRIOR ITEM.

5 BUT I THINK THAT WE NEED TO SEE THE
6 FIRST PART OF THIS TAPE TO LET PEOPLE UNDERSTAND
7 EXACTLY WHAT THE ISSUES ARE THAT WE NEED TO DEAL
8 WITH AND HOW TO PUT THEM INTO A CONTEXT THAT'S
9 REAL.

10 (TAPE WAS THEN PLAYED AND NOT
11 REPORTED NOR HEREIN TRANSCRIBED.)

12 MEMBER RELIS: FORGOT HOW HIP WE WERE.

13 CHAIRMAN JONES: LITTLE CONTEXT AS TO
14 WHAT WE'RE DEALING WITH HERE ON A STATE BASIS. I
15 THINK SOME OF THOSE NUMBERS, THAT REPORT WAS DONE
16 IN 1992 OR '93, AND I THINK WE HAVE BETTER DATA NOW
17 THAT TELLS US WE HAVE A FLOW OF 30 MILLION TIRES A
18 YEAR AND A POTENTIAL WASTE TIRES IN LEGACY PILES AT
19 SOMEWHERE AROUND 30 TO 35 MILLION TIRES THAT ARE
20 SITTING OUT THERE IN PILES. THERE WERE THREE TIRE
21 FIRES LAST YEAR IN THE STATE OF CALIFORNIA THAT I
22 KNOW OF, AND WE'VE GOT TO DEAL WITH THIS.

23 MS. TRGOVCICH: MAYBE JUST BEFORE MARTHA

24 STARTS, THAT'S A VERY GOOD DEPICTION OF WHY WE NEED
25 A RANGE AND DIVERSITY OF HANDLING OPTIONS TO BE

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1 ABLE TO HANDLE BOTH THE ANNUAL FLOW TIRES AS WELL
2 AS THE LEGACY TIRES.

3 AND TO FURTHER PUT THAT IN CONTEXT TO
4 THIS ITEM, WE SAW A NUMBER OF HANDLING OPTIONS
5 DESCRIBED AT THE OUTSET OF THE VIDEO THERE, TO USE
6 FOR RUBBERIZED ASPHALT, RETREADS, WE SAW MOLDED
7 RUBBER PRODUCT PRODUCTION IN THERE, AND THOSE ARE
8 ALL IN THE MIX OF HOW WE HANDLE THE TIRES, BUT
9 NEITHER ONE OF THOSE HANDLING OPTIONS COULD ADDRESS
10 THE ANNUAL FLOW, LET ALONE THE LEGACY TIRES THAT
11 ARE OUT THERE RIGHT NOW.

12 SO WHAT WE BRING BEFORE YOU IS A
13 POLICY CONSIDERATION TO ADD TO THE MIX A VERY GREAT
14 POTENTIAL IN TERMS OF BEING ABLE TO ADDRESS BOTH OF
15 THOSE COMPONENTS.

16 MS. GILDART: THANK YOU, CAREN. I'VE GOT
17 A GRAPH UP THAT SHOWS THE CURRENT ESTIMATE BY STAFF
18 OF THE USAGE OF TIRES IN THESE DIFFERENT APPLICA-
19 TIONS. WHILE SOME OF THE NUMBERS HAVE CHANGED
20 SINCE THE 1992 REPORT AND THEN THE FIRE MARSHAL
21 VIDEO, THE PROPORTIONS ARE STILL PRETTY MUCH THE
22 SAME. AND THAT IS THAT THE USE OF TIRES AS A FUEL
23 SUPPLEMENT IS LARGER THAN ANY OTHER POTENTIAL USE.

24 THAT'S NOT TO SAY THAT NECESSARILY ALL FACILITIES
25 THAT ARE ABLE TO USE TIRES BECAUSE OF THE

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1 COMBUSTION TECHNOLOGY OR AIR POLLUTION CONTROL
2 TECHNOLOGY WILL ACTUALLY WANT TO.

3 WE ARE PREDICTING A MORE CONSERVATIVE
4 NUMBER THAT, IF WE WORK WITH SOME OF THE CEMENT
5 KILNS AND THE COAL-FIRED COMBUSTERS, THAT WE MAY
6 SEE NUMBERS IN THE 15 TO 20 MILLION RANGE.

7 THE OTHER THING IS THAT WE'VE DONE A
8 LOT OF STUDY, AND WE'LL BE PRESENTING SHORTLY SOME
9 OF THE RESULTS OF WHAT -- WE'VE COVERED SOME OF THE
10 RESULTS, AND WE'LL BE SUMMARIZING SOME OF THE
11 COMPARISONS THROUGH THIS POLICY, BUT THE STUDIES
12 HAVE BEEN IN FAR MORE DETAIL OVER THE USE OF TIRES
13 AS FUEL. WE'VE DONE MORE TESTING ON EMISSIONS ON
14 ASH THAN WE HAVE ON SOME OF THE OTHER PRODUCTS.
15 AND PEOPLE HAVE EXPRESSED SOME CONCERN WITH THOSE
16 PRODUCTS.

17 WE HAVE RECEIVED PETITIONS FROM
18 INDIVIDUALS CONCERNED ABOUT EXPOSURE OF CHILDREN TO
19 PLAYGROUND MATS CONTAINING TIRE RUBBER. WE HAVE
20 HEARD CONCERNS EXPRESSED BY INDIVIDUALS OVER TIRES
21 BEING USED IN LEVEE REPAIR AS WE DISCUSSED IN THE
22 PREVIOUS BOARD MEETING.

23 SO ONE OF THE THINGS WE'VE LEARNED
24 OVER THE YEARS OF WORKING ON THE TIRE PROGRAM IS
25 THAT ALL POTENTIAL USES FOR TIRES CARRY WITH IT A

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1 CERTAIN AMOUNT OF CONTROVERSY. I DON'T THINK IT'S
2 ANYTHING WE CAN AVOID OR SHOULD.

3 THE POLICY, AS CAREN DESCRIBED, IS A
4 REVISION TO ONE THAT THE BOARD HAD ACTUALLY PUT IN
5 PLACE WITH THE ADOPTION OF THE 1992 REPORT "TIRES
6 AS A FUEL SUPPLEMENT." AND THIS IS ONE WHERE WE
7 WOULD LIKE TO EXPAND IT TO INCLUDE OTHER COAL-
FIRED

8 FACILITIES. SOME OF DATA WE COVERED IN THE
EARLIER

9 ITEM WHERE THERE WERE RESULTS FROM PULP AND PAPER
10 MILLS WHICH BURNED WOOD OR HOG FUELS, THE FEELING
11 WAS THAT THE CHANGES IN EMISSIONS, CHARACTERISTIC
12 AND ASSOCIATED RISKS MAY BE GREATER THAN THIS
BOARD

13 WOULD WANT TO PROMOTE, BUT THAT WHEN COMPARED TO
14 COAL ONLY EMISSIONS, IT'S WITHIN THE RANGE OF
15 ACCEPTABLE CHANGE.

16 THE DIAGRAMS SHOW BETTER. THIS IS
17 FROM THE DAMES & MOORE REPORT. IT SHOWS AFTER
THEY

18 WENT THROUGH ALL THE EMISSIONS ANALYSES, LOOKED AT
19 THE RANGES, LOOKED AT THE AVERAGES, THEY DID SOME
20 BASELINE CALCULATIONS OF RISK AND COMPARED IT
21 BEFORE AND AFTER. AND IN THIS CASE THE WHITE BAR

22 GRAPH IS THE TIRE-DERIVED FUEL SUPPLEMENTED
23 COMBUSTION, AND THE BLACK IS BASELINE WHICH WOULD
24 BE COAL OR WOOD ONLY. SEE IF I CAN GET THAT IN A
25 LITTLE MORE. MIGHT LOSE THAT LAST MISCELLANEOUS.

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1 AS YOU CAN SEE IN THE FIRST PART OF
2 THE GRAPH, IT SHOWS THE CEMENT KILNS, THE
3 COMPARISON THERE OF THE TIRE AND THE BASELINE.
4 THERE'S SOME VARIABILITY. FIRST COUPLE THERE'S A
5 SLIGHT INCREASE IN RISK. THE NUMBERS THERE ON THE
6 SIDE ARE TWO TO THE NEGATIVE 5, WHICH IS ABOUT 20
7 IN A MILLION. AS YOU WORK YOUR WAY TO THE RIGHT,
8 YOU NOTICE THAT THE TIRE-DERIVED FUEL RISK IN
9 COMPARISON TO THE COAL ONLY DECREASES, IN SOME
10 CASES QUITE SIGNIFICANTLY.

11 NOT ALL THE ENERGY FACILITIES HAD
12 DATA ALLOWING THEM TO DO THE CALCULATIONS, BUT THE
13 ONE THAT IS THERE, EO7, ALSO SHOWS A SLIGHT
14 INCREASE. THE THING THAT'S OF INTEREST IS THE
15 PAPER AND PULP MILLS. WE FEEL THAT, WHILE THERE'S
16 ONE THAT SHOWS A DECREASE WITH TIRE FUEL, THERE
17 ARE
18 SEVERAL THAT SHOW AN INCREASE.

19 THIS GRAPH JUST SHOWS THE DELTA, THE
20 DIFFERENTIAL, AND IT'S EASIER TO SEE, THAT FOR
21 MANY
22 OF THE FACILITIES, THE INCREASE -- THE DECREASE IS
23 GREATER THAN ANY INCREASE IN RISK. ONCE AGAIN,

22 THESE ARE BASED ON RANGES. THESE ARE VERY ROUGH
23 DATA. BUT WHAT WE SEE WHEN WE LOOK AT CARNOT
24 EMISSIONS DATA OR EVEN SOME OF THE DATA WE
RECEIVED

25 EARLIER FROM CAL PORTLAND, THESE FALL IN THAT SAME
41

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1 RANGE.

2 I'M GOING TO SHOW YOU THIS MORE AS A
3 COMPARISON TO THE NEXT GRAPH. WE JUST SAW THE
4 VIDEO OF THE OPEN BURNING OF TIRES. WE DO HAVE
5 SOME LIMITED DATA ON THE SIMULATED OPEN BURN. IF
6 YOU WILL NOTICE, THE EMISSIONS ARE GIVEN IN
7 MICROGRAMS PER CUBIC METER. A MILLIGRAM IS ONE
8 THOUSANDTH OF A GRAM. A MICROGRAM IS ONE-
9 MILLIONTH. SOME OF THE OTHER DATA IS PRESENTED IN
10 NANOGRAMS, WHICH IS ONE-BILLIONTH OF A GRAM.

11 I WANT TO SHOW YOU SOME INFORMATION
12 FROM AN OPEN BURN, AND THE TABLE IS NOT SOMETHING
13 THAT'S GOING TO SHOW UP VERY CLEARLY ON THIS
14 OVERHEAD, BUT I THINK IF YOU NOTICE WHAT
15 MEASUREMENTS THEY ARE USING, WE'RE TALKING
16 MILLIGRAMS PER CUBIC METER HERE. THAT'S,
17 DEPENDING, A THOUSAND TO A MILLION TIMES
GREATER
18 CONCENTRATIONS THAN WHAT WE EVEN LOOK FOR
COMING
19 OUT OF THE STACK OF COAL-FIRED COMBUSTER
UNITS.
20 THIS IS OPEN BURN. WE'RE TALKING MILLIGRAMS

PER

21 CUBIC METER, NOT MICROGRAMS, NOT NANOGRAMS,

NOT

22 PICOGRAMS.

23 THEY WENT THROUGH A WHOLE LIST

OF

24 ORGANIC COMPOUNDS HERE JUST TESTING FOR

ANYTHING

25 AND EVERYTHING TO SEE WHAT CAME OFF OF THOSE

OPEN

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1 BURNS. THE BASIC CONCLUSION IS THAT YOU GET
2 SOMEWHERE BETWEEN 1,000 TO ONE MILLION TIMES
3 GREATER CONCENTRATIONS OF MANY OF THESE TOXIC
4 COMPOUNDS. A LOT OF THAT, AS STEVE HOWIE POINTED
5 OUT, HAS TO DO WITH THE COMBUSTION CHARACTERISTICS.
6 YOU DO NOT HAVE COMPLETE COMBUSTION. YOU HAVE
7 LONG-CHAIN HYDROCARBON RING COMPOUNDS, AROMATIC
8 COMPOUNDS COMING OFF OF THESE OPEN TIRE PILES. YOU
9 DO NOT HAVE THAT IN A CEMENT KILN OR A CIRCULATING
10 FLUIDIZED BED COMBUSTION ENERGY SOURCE. THEY WANT
11 THAT BROKEN DOWN OXIDATE, THAT CARBON HYDROGEN
12 BOND, THAT'S ENERGY RELEASE THAT THEY ARE
13 CAPTURING. SO WHAT THEY ARE GOING FOR IS THE
14 COMPLETE COMBUSTION TO CO₂.

15 IF YOU WILL NOTICE IN YOUR PACKET,
16 THERE'S -- AND I'VE MISPLACED MY COPY -- THE ACTUAL
17 LANGUAGE OF THE POLICY IS ATTACHMENT 1. I THINK
18 THAT'S PAGE 5. WHAT WE'VE ATTEMPTED TO CAPTURE
19 HERE IS SOME OF THE REMARKS THAT STEVE JONES HAD
20 MADE AT THE BOARD MEETING BACK IN APRIL, AS WELL
21 AS
22 USING THE EARLIER 1992 REPORT WHERE WE DISCUSSED

22 TIRES AS A FUEL.

23 IN SOME OF THE DISCUSSIONS WITH
BOARD

24 MEMBER AND THEIR ADVISORS, THERE'S INDICATIONS
THAT

25 LANGUAGE SHOULD BE ADDED TO THE LIST OF WHEREASES

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1 TO PROVIDE FURTHER DOCUMENTATION OF THE FINDINGS.
2 THE POLICY ITSELF STARTS AT THE BOTTOM OF PAGE 5
3 WHERE STAFF WOULD BE DIRECTED, IF THIS POLICY IS
4 ADOPTED, TO DEVELOP AND DISSEMINATE THE INFORMATION
5 THAT IS AVAILABLE, TO CONDUCT WORKSHOPS TO HELP
6 EDUCATE THE PUBLIC AND LOCAL DECISION MAKERS, AND
7 TO WORK WITHIN THE REGULATORY SYSTEM TO HELP WITHIN
8 THE PERMIT PROCESS IF THESE FACILITIES WOULD
9 REQUIRE A MAJOR OR MINOR TIRE PERMIT.

10 WE HAVE HAD SOME PROPOSED LANGUAGE
11 SUBMITTED TO STAFF. I DON'T KNOW IF YOU WANT TO
12 DISCUSS YOUR WISHES OR SHOULD WE DISCUSS LANGUAGE?

13 MS. TRGOVCICH: IF YOU WOULD, PERHAPS, WE
14 COULD WAIT? IF YOU DO HAVE INDIVIDUALS THAT ARE
15 GOING TO COME UP AND TESTIFY ON THIS ISSUE, WE
16 COULD WAIT TO DISCUSS ANY PROPOSED CHANGES SO
17 THAT
18 YOU CAN HAVE THE BENEFIT OF THAT DISCUSSION AS
19 WELL.

20 CHAIRMAN JONES: OKAY. YOU KNOW, I
21 ONLY
22 HAVE ONE SLIP. IF THERE'S OTHERS THAT WANT TO
23 SPEAK TO THIS ITEM, THEY NEED TO FILL OUT A

FORM

22 AND GET IT TO MS. BAKULICH.

23 MS. TRGOVCICH: MAYBE JUST TO
SUMMARIZE,

24 I KNOW YOU ARE GOING TO BE CALLING THE FIRST

25 SPEAKER, HOPEFULLY THERE WILL BE MORE, THE

BOARD

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1 HAS PLACED SIGNIFICANT EMPHASIS ON A VARIETY OF
2 OTHER USES OVER THE PRIOR YEARS. WE'VE SEEN A
3 SIGNIFICANT AMOUNT OF MONEY, WHILE NOT A USE, GO TO
4 CLEANUP, VERY APPROPRIATELY SO; BUT WITHIN THE USE,
5 REUSE, RECYCLING OPTIONS WE HAVE SEEN SIGNIFICANT
6 FUNDS BEING MADE AVAILABLE THROUGH GRANTS, THROUGH
7 LOCAL CONTRACTS TO PROMOTE PLAYGROUND MATS.

8 AS MARTHA STATED, WE HAVE CONDUCTED
9 THAT PROGRAM MULTIPLE YEARS NOW, GRANTS BEING MADE
10 AVAILABLE TO PROMOTE THE USE OF MOLDED RUBBER
11 PRODUCTS, SO WE'RE ENHANCING THAT MARKET.

12 THE BOARD HAS PROVIDED SIGNIFICANT
13 FUNDING THROUGH THE AVAILABILITY OF TECHNICAL
14 ASSISTANCE AS WELL AS GRANTS FOR THE USE OF
15 RUBBERIZED ASPHALT CONCRETE. WE ALSO HAVE
16 SIGNIFICANT CONTRACT DOLLARS BEING EXPENDED TOWARDS
17 DEVELOPING THE CIVIL ENGINEERING MARKETS.

18 SO WE HAVE PUT BOTH OUR STAFF
19 RESOURCES AS WELL AS OUR DOLLAR RESOURCES TOWARDS
20 THE RANGE OF USES OUT THERE. IF YOU GO BACK TO
21 THAT FIRST CHART THAT MARTHA HAD UP THERE, THE
22 POTENTIAL FOR THIS MARKET IS FAR GREATER THAN ANY
23 OF THOSE OTHERS, AND WE HAVE PROVIDED VERY LITTLE

24 SUPPORT IN TERMS OF THIS TECHNOLOGY, BOTH IN THE
25 FORM OF STAFF RESOURCES AS WELL AS DOLLARS. THE

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1 FIRST TIME WE HAVE PROVIDED DOLLARS HAS REALLY BEEN
2 IN TERMS OF THE REPORTS THAT ARE ON YOUR AGENDA
3 TODAY. SO WE'RE LOOKING AT TRYING TO PROVIDE A
4 BALANCE HERE. AND WITH THAT, I'LL CONCLUDE.

5 CHAIRMAN JONES: I HAVE ONE SPEAKER. DO
6 ANY OF THE BOARD MEMBERS WANT TO SPEAK OR DO YOU
7 WANT TO LISTEN TO THE --

8 MEMBER PENNINGTON: LET'S LISTEN TO THE
9 SPEAKERS.

10 CHAIRMAN JONES: MR. BENNETT. MR. JOHN
11 BENNETT.

12 MR. BENNETT: MR. CHAIRMAN, POLICY
13 COMMITTEE MEMBERS, MY COMMENTS WILL BE BRIEF. MY
14 NAME IS JOHN BENNETT. I REPRESENT THE CALIFORNIA
15 CEMENT MANUFACTURERS ENVIRONMENTAL COALITION. I'M
16 HERE REALLY TO REMIND YOU OF AND ACKNOWLEDGE THE
17 WORK THAT YOUR STAFF HAS DONE IN PREPARING THIS
18 INFORMATION, AS WELL AS THEIR DIRECTION WITH
19 RESPECT TO ADDITIONAL REPORTS, FOR INSTANCE, THE
20 DAMES & MOORE REPORT, THAT ARE NECESSARY FOR YOU
21 TO
22 COME BACK AND REVISIT THIS POLICY BECAUSE, IN
23 FACT,
24 WHAT YOU ARE DOING, I THINK, IS REAFFIRMING A
25 POLICY THAT YOU'VE HAD IN PLACE.

HOWEVER, WE ARE THE BENEFICIARIES

NOW FOUR OR FIVE YEARS OF MATURING IN THIS

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1 INDUSTRY. YOU'VE SEEN FACILITY AFTER FACILITY IN
2 THE CEMENT INDUSTRY COME ON-LINE AND CONDUCT VERY
3 RIGOROUS SOURCE TESTING IN COMPLIANCE WITH THE
4 STATE'S AB 2588, WHICH MEASURES TOXIC AIR
5 EMISSIONS, BOTH BEFORE AND AFTER THIS TYPE OF
6 ACTIVITY.

7 SO YOU HAVE A VERY LONG HISTORY NOW
8 OF INDIVIDUAL FACILITIES, AS WELL AS THE SUMMARY
9 PROVIDED BY DAMES & MOORE, OF WHAT WE'RE CAPABLE
OF
10 DOING AND WHAT POTENTIALLY NOW IS CAPABLE WITH THE
11 CARNOT STUDIES OF OTHER INDUSTRIES, SPECIFICALLY
12 THE FLUIDIZED-BED BOILER INDUSTRY.

13 AND IT REMINDS ME OF WHERE WE WERE
AT

14 A RECYCLING CONFERENCE PUT ON BY THIS BOARD AND
THE

15 OPENING COMMENTS BY ONE OF YOUR FORMER BOARD
16 MEMBERS, WHO IS HERE WITH US TODAY, MR. EGIGIAN,
17 BECAUSE HE REALLY VISITED THAT ISSUE IN HIS
OPENING

18 COMMENTS WITH RESPECT TO WHERE WE MIGHT BE IF
19 CEMENT KILNS WERE PROVIDED WITH MORE SUPPORT FOR
20 AND WERE THE BENEFICIARIES OF ACTION BY THIS
BOARD.

21 AND SO I ENCOURAGE YOU TODAY TO ADOPT THIS POLICY,
22 TO REAFFIRM YOUR COMMITMENT TO GETTING OUT IN THE
23 COMMUNITY AND MAKING THE ISSUES UNDERSTOOD BECAUSE
24 CERTAINLY EACH FACILITY NEEDS TO STAND ON ITS OWN
25 DURING THE PERMITTING PROCESS, BUT THERE ARE
ISSUES

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1 WITH RESPECT TO THIS TECHNOLOGY THAT ARE MUCH MORE
2 APPROPRIATE FOR A BODY SUCH AS YOURSELF AND YOUR
3 STAFF TO BE ADDRESSING ALONG WITH, IN CONCERT WITH
4 THE AIR RESOURCES BOARD AND OWEHA AND STATE
5 AGENCIES TO STAND UP FOR THE SCIENTIFIC PROCEDURES
6 THAT ARE EMBODIED IN YOUR REGULATIONS AND TO GET
7 OUT FRONT OF THESE ISSUES BECAUSE CLEARLY WE NEED
8 TO TAKE ADVANTAGE OF THE LOCATION AND THE TYPE OF
9 INDUSTRY AND THE VOLUME OF MATERIALS THAT WE CAN
10 HANDLE OUT THERE TO SOLVE THIS PROBLEM AND GET RID
11 OF THESE LEGACY PILES AND GET ON WITH MANAGING THE
12 DAILY FLOW IN PERPETUITY.

13 AND I APPRECIATE YOUR SUPPORT IN
14 THIS, AND, AGAIN, I URGE YOUR QUICK ACCEPTANCE OF
15 THIS AND FORWARD TO THE FULL BOARD.

16 CHAIRMAN JONES: ANY QUESTIONS? AND MR.
17 WILLIAM LAX.

18 MR. LAX: GOOD MORNING, BOARD MEMBERS.
19 MY NAME IS WILLIAM LAX. I REPRESENT AN ENERGY
20 PLANT, JACKSON VALLEY ENERGY, OUT OF IONE,
21 CALIFORNIA.

22 MY ONLY CONCERN IS THE COAL-FIRED
23 LANGUAGE. WE ARE A LIGNITE-FIRED PLANT, POOR MAN'S

24 COAL. WE BURN ROUGHLY TWO AND A HALF TO THREE
25 MILLION OR COULD BURN ROUGHLY TWO AND A HALF TO

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1 THREE MILLION TIRES A YEAR, AND WE'RE ONLY A
2 17-MEGAWATT PLANT. I GUESS MY ONLY CONCERN IS THAT
3 THE LIGNITE-FIRED PLANT BE CONSIDERED THE SAME AS A
4 COAL-FIRED PLANT. THAT'S MY ONLY COMMENTS. THANK
5 YOU.

6 MEMBER PENNINGTON: ISN'T LIGNITE,
7 THOUGH, GENERALLY KNOWN AS COAL?

8 MR. LAX: WE RECOGNIZE IT AS THAT. IT'S
9 MINED VERY SIMILAR TO COAL.

10 CHAIRMAN JONES: OKAY. ANY COMMENTS FROM
11 BOARD MEMBERS?

12 MEMBER PENNINGTON: WELL, I'M PREPARED TO
13 MAKE A MOTION, BUT I DO WANT TO SAY THAT I'D LIKE
14 TO MAKE IT CLEAR THERE'S COMMENTS IN THESE LETTERS
15 THAT WE DIDN'T PROPERLY NOTICE THIS. AND I DO KNOW
16 THAT WHEN THE AGENDA ITEM WAS PREPARED AND ISSUED,
17 THAT WE MADE SURE THAT THE STATE SIERRA CLUB WAS
18 NOTIFIED AND CALIFORNIANS AGAINST WASTE WAS
19 NOTIFIED. YOU KNOW, I DON'T KNOW WHETHER WE HAVE A
20 LIST OF EVERY SIERRA CLUB OR EVERY THREE PEOPLE
21 THAT GET TOGETHER IN THE STATE, BUT I WOULD
22 CERTAINLY THINK THAT IT IS THE RESPONSIBILITY OF
23 THE STATE SIERRA CLUB TO MAKE SURE THAT ITS
24 CHAPTERS AND UNITS KNOW IF THERE'S A PROBLEM.

25 SO I DO WANT TO MAKE SURE THAT

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1 EVERYBODY UNDERSTANDS THAT I THINK WE DID PROPERLY
2 NOTICE EVERYBODY AND THAT WE DID IT WITHIN THE TIME
3 FRAMES. I'M SORRY THAT THESE PEOPLE DIDN'T GET
4 NOTICE FROM THEIR STATE ORGANIZATION BUT ONE DAY
5 AHEAD OF TIME, BUT THEY DON'T SEEM TO BE HERE.

6 SO I'M GOING TO GO AHEAD AND MOVE
7 THAT WE APPROVE RESOLUTION 97-425, THE ADOPTION OF
8 THE POLICY TO SUPPORT USE OF TIRES AS A FUEL
9 SUPPLEMENT.

10 CHAIRMAN JONES: IS THERE A SECOND?

11 MEMBER RELIS: MR. CHAIR, I'D LIKE TO
12 SPEAK TO THE MOTION AND FIRST HAVE SOME DISCUSSION,
13 IF WE COULD, OF THE POLICY. LET ME START BY JUST
14 LAYING OUT A FRAMEWORK THAT'S -- THAT I'M GOING TO
15 USE TO GUIDE MY DECISION ON THIS.

16 WE'VE BEEN WORKING ABOUT SIX YEARS ON
17 THE TIRE PROBLEM, SEVEN YEARS FORMALLY AS A BOARD.
18 WE'VE MADE SOME GOOD PROGRESS, CERTAINLY IN THE
19 DIVERSION SIDE. WE'VE DEVELOPED SOME MARKETS.
20 WE'VE CLEANED UP SOME PILES. MOST NOTABLY OF LATE
21 WE'VE -- WE THINK WE'LL BE CLEANING UP THE MELP
22 PILE UNDER OUR CURRENT AGREEMENT, AND THAT WILL
23 BE -- THOSE TIRES WILL BE INCINERATED.

24 SO CLEARLY, AS WE SIT, WE DO NOT
HAVE

25 A MARKET FOR TIRES TO BE USED ALL AS CRUMB
RUBBER,

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1 ALL AS RECYCLED PRODUCTS, OR ALTERNATIVES OF THAT
2 SORT, AND I RECOGNIZE THAT. I'M VERY CONCERNED
3 ABOUT THE LEGACIES OUT THERE AND THEIR ENVIRON-
4 MENTAL IMPACT AS HAS BEEN ILLUSTRATED HERE.

5 NOW, GENERALLY SPEAKING, AND THIS IS
6 A FEW QUESTIONS TO STAFF, NOW, WHAT'S THE RELATION-
7 SHIP. THERE'S BEEN A RISK REFERENCED HERE. AND
8 NORMALLY -- OR WHAT IS OUR REFERENCE TO AWEHA WHEN
9 IT COMES TO MATTERS OF RISK ASSESSMENT? DO WE HAVE
10 ANY CORRELATION WE HAVE TO MAKE WITH THEM? HAVE
11 THEY SEEN THIS INFORMATION? DO THEY NEED TO SEE
12 THIS INFORMATION?

13 MS. GILDART: THEY WOULD NORMALLY BE
14 INVOLVED AT TWO DIFFERENT POINTS WITHIN THIS KIND
15 OF PROCESS. ONE IS THEY ARE THE GOVERNING BODY
16 THAT SETS UP THE PROCESS, THE METHODS THAT ARE USED
17 BY THE LOCAL AIR DISTRICTS OR ANY OTHER GOVERNMENT
18 AGENCY TO CALCULATE RISK. SO THEY'RE THERE AT THE
19 BEGINNING.

20 THEY DO HAVE THE WHEREWITHAL, UPON
21 REQUEST, I GUESS SOMETIMES TENDERING OF FUNDS TO
22 CONDUCT SPECIFIC RISK ASSESSMENTS FOR OTHER STATE
23 AGENCIES. I KNOW WE'VE ENTERED INTO THAT KIND OF

24 AN AGREEMENT IN THE PAST, AN INTERAGENCY WITH THEM

25 TO LOOK AT A PARTICULAR TYPE OF ACTIVITY THE BOARD

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1 WAS GOING TO UNDERTAKE, AND THEY COULD RUN HEALTH
2 RISK ASSESSMENT ON THOSE ACTIVITIES.

3 MEMBER RELIS: WOULD THAT BE ANY DIFFERENT
4 THAN WHAT HAS BEEN DONE IN THE ANALYSIS THAT WE
5 HAVE RECEIVED IN THE TWO STUDIES?

6 MS. GILDART: THEY WOULD HAVE TO TURN TO
7 THE SAME DATA. THEY WOULD PROBABLY MAKE THE SAME
8 ASSUMPTIONS IN CALCULATING ANY RISK, BUT EACH
9 INDIVIDUAL SCIENTIST CONDUCTING THE STUDY MIGHT
10 MAKE SOME MINOR DIFFERENT ASSUMPTIONS. I WOULDN'T
11 SAY IT WOULD BE AN EXACT DUPLICATION.

12 MEMBER RELIS: AND THEN THE AIR RESOURCES
13 BOARD, WHICH WE ARE THE WASTE MANAGEMENT BOARD.
14 WE'RE NOT THE AIR RESOURCES BOARD. WE RELY -- WHY
15 I RAISED THE EARLIER QUESTION ABOUT THE TESTS BEING
16 DONE IN A MANNER CONSISTENT WITH THE PROTOCOL
17 CALLED FOR BY, I GUESS, NOW I'VE HEARD EITHER U.S.
18 EPA OR IN THE CASE OF WHICHEVER STANDARD IS MORE
19 STRICT THE CALIFORNIA AIR RESOURCES BOARD. DO
20 WE -- WHAT HAS SPECIFICALLY BEEN OUR RELATIONSHIP
21 WITH THE AIR RESOURCES BOARD VIS-A-VIS THIS ISSUE?.

22 MS. GILDART: WE'VE BEEN INVOLVED WITH
23 THEM FOR SEVERAL YEARS. WE HAVE HAD INTERAGENCY
24 AGREEMENTS WHERE THEY DID TESTING AT ONE OF THE
25 CEMENT KILNS FOR US, ONE OF THE LONG KILNS. WE HAD

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1 THEM REVIEW THE DAMES & MOORE STUDY. THEY
2 SUBMITTED COMMENTS TO US WHICH WE THEN FORWARDED TO
3 DAMES & MOORE. WE HAVE BEEN WORKING CLOSELY WITH
4 THE AIR BOARD. THEY DO NOT MAKE DECISIONS ON
5 SPECIFIC PERMIT ISSUES. THEY'D RATHER SET THE
6 STANDARDS OR THE PREFERRED TECHNOLOGY OR TEST
7 METHOD.

8 MEMBER RELIS: BUT IN REGARDS TO THE
9 POLICY DISCUSSION BEFORE US, IN THIS PROPOSED
10 POLICY THE BOARD WOULD BE TAKING A POSITION OF
11 BEING SUPPORTIVE OF THE DIRECTION OF UTILIZING
12 INCINERATION IN CERTAIN CONTEXT FOR BURNING THE
13 TIRES, AND OUR REFERENCE AGENCY, I GUESS YOU
14 WILL,
15 WOULD BE THE AIR RESOURCES BOARD SINCE WE DO NOT
16 DO
17 THAT AS A PRACTICE. LIKE IF IT'S A WATER ISSUE,
18 WE
19 HAVE WATER -- THE WATER RESOURCES CONTROL BOARD.
20 SO THEY'RE A KEY PLAYER IN THIS.

21 AND I'M JUST -- WE'VE HAD ONGOING
22 DISCUSSIONS WITH THEM. THEY HAVE BEEN INVOLVED
23 IN
24 SETTING UP OR LOOKING AT THE TESTING PROTOCOLS
25 THAT

21 WERE TO BE USED OR NOT?

22 MS. GILDART: YES. THEY -- IN SOME OF
23 THE

24 TEST CASES, YES, THEY HAVE ACTUALLY REVIEWED THE
25 PROTOCOLS, COMMENTED ON THEM, AND WORKED WITH US
OR

26 WITH THE ACTUAL TESTING AGENCY. THEY CONDUCTED

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1 TESTS AT ONE OF THE CEMENT KILNS COUPLE OF YEARS
2 AGO UNDER AN AGREEMENT WITH US WHERE WE PAID THE
3 COST OF THEIR TEST. THAT WAS PART OF THE DATA SET
4 THAT WAS EVALUATED BY DAMES & MOORE. THEY REVIEWED
5 THE REPORT ITSELF AND COMMENTED ON IT. THEY ARE
6 NOT IN A POSITION REALLY TO MAKE A POLICY
7 STATEMENT, BUT THEY WOULD NOT COME OUT IN
8 OPPOSITION TO THE POLICY STATEMENT THE BOARD IS
9 CONSIDERING.

10 I GET THE SENSE SOMEBODY WANTS TO
11 MAKE A COMMENT ON THAT.

12 MR. BENNETT: MAY I ADDRESS MR. RELIS'
13 QUESTION VERY BRIEFLY? THIS YEAR IN CONSIDERATION
14 OF A BILL, ASSEMBLYWOMAN BOWEN, CHAIRMAN OF THE
15 ASSEMBLY NATURAL RESOURCES COMMITTEE, HELD HEARINGS
16 WITH RESPECT TO THIS, AND TESTIMONY WAS PROVIDED
17 DURING THAT HEARING BY THE AIR RESOURCES BOARD,
18 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, AND
19 KERN COUNTY APCD, ALL OF WHICH SUPPORTED
20 SPECIFICALLY THE USE OF TIRES AS A FUEL IN CEMENT
21 KILNS, AND SPOKE DIRECTLY TO BOTH THE RISK
22 ASSESSMENT ISSUE AND THE EMISSIONS.

23 MEMBER RELIS: SO THERE WAS TESTIMONY

24 GIVEN --

25 MR. BENNETT: SPECIFICALLY ON THIS. AND

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1 THE AIR RESOURCES BOARD REPRESENTATIVES SUPPORTED
2 THIS USE AND HAD INDICATED THEY REVIEWED THE MOST
3 CURRENT EMISSION INFORMATION AND RISK ASSESSMENT
4 PROVIDED BY CEMENT KILNS.

5 MEMBER RELIS: OKAY. WELL, THAT BRINGS
6 ME THEN TO COMMENT I MADE TO STAFF IN MY BRIEFING.
7 CONCERNING THE -- THE WAY THE POLICY IS SET FORTH
8 AT THIS MOMENT, I WOULD NEED TO SEE THE SCIENTIFIC
9 REFERENCES MADE TO THE FINDINGS, THE SPECIFIC
10 FINDINGS THAT BUTTRESS A POLICY. MEANING I THINK I
11 REFERENCE THE -- THERE'S AIR RESOURCES BOARD DATA.
12 THERE ARE TWO REPORTS, ONE OF WHICH WE'VE ADOPTED,
13 THE OTHER WE ARE WAITING FURTHER STAFF REVIEW OF.
14 SO I COULDN'T SUPPORT THIS TODAY WITHOUT THAT
15 LANGUAGE IN THERE AND THE REFERENCES.

16 I ALSO WOULD LIKE TO HAVE A CHANCE TO
17 LOOK OVER. I DON'T KNOW WHAT'S IN HERE WITH THIS.
18 WE GOT A PILE OF MATERIAL, AND I'D LIKE TO SEE
19 STAFF'S RESPONSE TO WHAT HAS BEEN SUBMITTED BY WAY
20 OF LETTERS IF THIS COULD BE DONE BEFORE THE BOARD
21 MEETING.

22 MS. TRGOVCICH: WELL --

23 MEMBER RELIS: I THINK I MADE MY

24 COMMENTS, MY CONCERNS ABOUT THE SCIENTIFIC
25 REFERENCE IN THE POLICY BECAUSE THIS IS A
POLICY.

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1 I WOULD HOLD IT TRUE IN ANY ISSUE THAT WE MIGHT
2 TAKE A MORE ACTIVE ROLE IN SUPPORT OF, COULD BE
3 COMPOST, COULD BE OTHER AREAS WHERE WE HAVE THE
4 BODY OF EVIDENCE THAT WE'RE RELYING ON TO TAKE US
5 IN THE DIRECTION THE POLICY SPEAKS TO. AND AT
6 PRESENT THIS WRITEUP DOESN'T DO IT FOR ME AT THAT
7 LEVEL.

8 MS. TRGOVCICH: WOULD IT WORK FOR YOU FOR
9 US TO MODIFY THE LANGUAGE WITHIN THE CONTEXT OF THE
10 RESOLUTION TO REFER TO -- REMEMBER, THIS WILL BE A
11 BOARD RESOLUTION, AND AT THAT TIME THE DAMES &
12 MOORE REPORT WILL BE BACK. AS I INDICATED AROUND
13 THE DAMES & MOORE REPORT, WE HAVE NO ISSUE WITH THE
14 ANALYSIS OR THE FINDINGS OF THAT REPORT. IT IS A
15 FORMAT ISSUE, SO NONE OF THE INFORMATION WILL
16 CHANGE SO THAT WE REFER TO THE ADOPTION OF THOSE
17 REPORTS, ACCEPTANCE OF THOSE REPORTS AND THE
18 INFORMATION CONTAINED.

19 MEMBER RELIS: WELL, THE CONCLUSIONS OF
20 THOSE REPORTS.

21 MS. TRGOVCICH: THE FINDINGS.

22 MEMBER RELIS: YES, THE FINDINGS. I
23 THINK IT'S CRITICAL -- WE'RE MAKING -- THERE'S A
24 SCIENTIFIC BASIS FOR A POLICY, AND RIGHT NOW WE
25 DON'T HAVE THE REFERENCE TO THAT.

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1 MS. GILDART: I COULD PROPOSE SOME
2 LANGUAGE THAT WE COULD ADD TO THE RESOLUTION, OR IS
3 THAT SOMETHING YOU WOULD LIKE TO PROVIDE STAFF?

4 MEMBER RELIS: WELL, I'M NOT PREPARED TO
5 DO THIS OFF THE CUFF. I'D LIKE TO SEE THE STAFF.

6 MEMBER PENNINGTON: MR. CHAIRMAN, MAY I
7 ASK, MR. RELIS, WHAT YOU WANT IN THE RESOLUTION IS
8 SOMETHING THAT REFERS TO THESE REPORTS AND THEIR
9 CONCLUSIONS.

10 MEMBER RELIS: THAT'S VERY IMPORTANT, I
11 THINK, TO THIS MEMBER.

12 MEMBER PENNINGTON: WELL, I'D BE PREPARED
13 TO WITHDRAW MY MOTION AND MAKE A MOTION THAT WE
14 MOVE IT TO THE FULL BOARD, IF THAT'S WHAT YOU WANT
15 TO DO.

16 CHAIRMAN JONES: MARTHA, I THINK, AS PART
17 OF THE BRIEFINGS THAT THEY HAD, MAY HAVE DEVELOPED
18 SOME -- I DON'T KNOW IF THAT HAPPENED OR NOT.

19 MS. GILDART: IN THE DISCUSSIONS WE HAD
20 WITH VARIOUS BOARD MEMBERS, THERE ARE MORE THAN ONE
21 PROPOSAL MADE. AND I'VE ATTEMPTED TO CAPTURE SOME
22 OF THOSE THOUGHTS. AS I SAID, MY COMPUTER WAS
23 FROZEN THIS MORNING AND I HAD HOPED TO HAVE IT

24 WRITTEN UP WHERE I COULD HAND IT OUT. BUT IF YOU
25 WILL ALLOW ME JUST TO READ IT INTO THE RECORD, WE

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1 CAN AT LEAST DISCUSS IT.

2 ONE PROPOSAL WAS TO BE MORE SPECIFIC
3 IN THE ACTUAL TITLE OF THE POLICY SO THAT IT WOULD
4 READ, "POLICY TO SUPPORT THE USE OF TIRES AS A FUEL
5 SUPPLEMENT IN COAL-FIRED COMBUSTION UNITS THAT
6 WOULD SPECIFY COAL-FIRED FACILITIES." AND I THINK,
7 GIVEN THE COMMENT MADE EARLIER IT WOULD INCLUDE
8 LIGNITE.

9 MEMBER RELIS: YES. AND I THINK THAT'S
10 RESPONSIVE TO WHAT I UNDERSTOOD THE WORK THAT HAD
11 BEEN DONE FOR THESE PARTICULAR REPORTS.

12 CHAIRMAN JONES: RIGHT.

13 MEMBER RELIS: IF I'M -- AM I CORRECT ON
14 THAT?

15 CHAIRMAN JONES: YEAH.

16 MEMBER RELIS: THAT WASN'T A WHOLE
17 UNIVERSE.

18 MS. GILDART: THERE WERE SOME WOOD-FIRED
19 FACILITIES, BUT THEIR EMISSION CHANGES WERE GREATER
20 IN COMPARISON TO THE COALS, SO I THINK THE DATA AND
21 THE RESULTS WOULD SUPPORT THE COAL-FIRED
22 SPECIFICATION.

23 AS FAR AS THE FINDINGS, THAT LIST OF

24 WHEREASES, I 'VE GOT THREE POSSIBLE TO ADD. I 'LL
25 JUST READ THEM.

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1 WHEREAS THE BOARD HAS DETERMINED THAT
2 USE OF TIRES AS A FUEL SUPPLEMENT WILL REDUCE THE
3 POTENTIAL PUBLIC HEALTH RISK AND ENVIRONMENTAL
4 DAMAGE THAT MIGHT RESULT FROM UNCONTROLLED TIRE
5 FIRES; AND, WHEREAS, FACILITIES USING TIRES AS A
6 FUEL SUPPLEMENT HAVE BEEN TESTED AND EMISSIONS HAVE
7 BEEN FOUND TO BE WITHIN REGULATORY STANDARDS AND
8 MAY RESULT IN OVERALL REDUCTION; AND, WHEREAS,
9 ANALYSIS OF EMISSIONS DATA AS CONDUCTED BY DAMES &
10 MOORE, CARNOT, AND OTHER OPERATORS HAVE FOUND THAT
11 NO STATISTICALLY SIGNIFICANT INCREASE IN RISK
12 OCCURS."

13 AND THEN THE OTHER LIST OF WHEREASES,
14 WHICH APPEAR IN YOUR PACKET. WOULD THOSE BE
15 SPECIFIC --

16 MEMBER RELIS: I THINK THAT'S THE
17 DIRECTION. I'D CLEARLY LIKE TO SEE THAT IN
18 WRITING, SO --

19 CHAIRMAN JONES: WE HAVE TO UNFREEZE HER
20 COMPUTER.

21 MEMBER PENNINGTON: WHY DON'T WE MOVE IT
22 FORWARD WITH THE RECOMMENDATION THAT THE LANGUAGE
23 BE WORKED OUT SATISFACTORY TO THE FULL BOARD.

24 MEMBER RELIS: AND WHAT IS THE -- AGAIN,
25 I 'VE GOT A PILE OF STUFF I HAVEN'T EVEN LOOKED AT

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1 HERE. WHAT -- CAN STAFF GO THROUGH THE COMMENTS
2 THAT WE HAVE RECEIVED AND DISCUSS THESE IN THE
3 CONTEXT OF THE POLICY?

4 MS. TRGOVCICH: WE CAN CERTAINLY GO
5 THROUGH THE COMMENTS. I DON'T THINK WE WOULD BE
6 RESPONDING POINT BY POINT. I THINK THERE IS
7 GROUPINGS OF COMMENTS. THERE'S GROUPINGS AROUND
8 INTERPRETATION OF DATA AS IT RELATES TO INCREASE IN
9 EMISSIONS. AND I THINK THAT A LOT OF THE COMMENTS
10 REFLECT TENFOLD, HUNDREDFOLD INCREASES, BUT THAT
11 ALL NEEDS TO BE PUT INTO CONTEXT IN TERMS OF THE
12 UNIVERSE OF DATA AS WELL AS THAT THE LIMITS OF
13 DETECTION MAY BE REFLECTED, ETC. SO THERE'S A
14 WHOLE VARIETY OF FACTORS THAT WOULD NEED TO BE
15 DISCUSSED. SO WE WOULD NOT GO THROUGH THE
16 INDIVIDUAL COMMENTS, BUT MORE A DISCUSSION OF THE
17 DATA IN GENERAL.

18 AND THEN THERE SEEMS TO BE, AND
19 GRANTED, I JUST RECEIVED THIS THIS MORNING AS WELL,
20 AN ISSUE AS IT PERTAINS TO CEQA AND DOES THE
21 BOARD'S ADOPTION OF A POLICY HAVE TO GO THROUGH
22 CEQA. MY INITIAL VIEW IS, GOSH, WE'VE ADOPTED A
23 LOT OF POLICIES IN THE PLANNING ARENA, PERMITTING
24 AND ENFORCEMENT ARENA, ETC., BUT WE WILL CERTAINLY
25 WORK WITH THE LEGAL OFFICE ON COMING BACK WITH A

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1 RESPONSE TO THAT ISSUE.

2 CHAIRMAN JONES: WE HAVE A POLICY. THERE
3 WAS A 1992 THAT DEALT WITH THIS, AND I THINK ALL
4 WE'RE DOING IS REAFFIRMING THAT POLICY BECAUSE OF
5 THE CONDITIONS THAT HAVE CHANGED.

6 THE -- I THINK AN ANALYSIS OF WHAT
7 THESE LETTERS ARE IS FINE. I DO WANT TO INCLUDE
8 THAT RICHARD DRURY, WHO IS THE ATTORNEY FOR THE
9 COMMUNITIES FOR A BETTER ENVIRONMENT, CALLED ME ON
10 FRIDAY. AND I THINK ONE OF THE REASONS THAT THIS
11 POLICY IS EVEN BEING LOOKED AT IN A MORE FORMALIZED
12 VOICE IS BECAUSE THERE IS A LOT OF HYSTERIA AND
13 LIBERAL INTERPRETATION OF TEST RESULTS AT DIFFERENT
14 HEARINGS.

15 I KNOW IT WAS ALWAYS THE -- AS I
16 UNDERSTAND -- IT'S ALWAYS BEEN MY UNDERSTANDING
17 THAT WE NEEDED TO PROMOTE THE USE OF TDF, BUT NOT
18 THE SPECIFIC PROJECT. YOU KNOW, THAT WE NEEDED TO
19 SIT AT A TABLE AT A HEARING AND TALK ABOUT THE
20 POLICY OF THE BOARD, WHICH IS TO MINIMIZE THE
21 ENVIRONMENTAL RISK BY HAVING OPEN BURNING, AND
22 THIS
23 IS A MANAGERED WAY TO DEAL WITH IT AND TALK ABOUT

23 WHEN PEOPLE SAY THAT A CERTAIN CHEMICAL REACTION
OR
24 A CERTAIN -- DIOXINS GO UP A HUNDRED PERCENT IN
THE
25 TEST. THAT DIOXIN MAY GO UP A HUNDRED PERCENT,
BUT

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1 WHAT IS THE LEVEL THAT IS IN EXCESS? IS IT 2,000
2 PERCENT? IS IT 10,000 PERCENT BEFORE YOU GET TO
3 THAT NUMBER?

4 AND DIOXIN MAY HAVE BEEN THE WRONG
5 EXAMPLE TO USE BECAUSE I DON'T KNOW WHAT THE
6 STANDARD IS, BUT LIKE A NOX TEST WHERE THERE IS
7 CLEARLY A STANDARD THAT IS SET THAT ARE THE
8 MINIMUM -- THAT ARE THE MINIMUM THRESHOLDS, AND
9 IT'S EASY TO TALK ABOUT 2 AND 300-PERCENT INCREASES
10 IF, IN FACT, TO REACH THAT MINIMUM THRESHOLD BY
11 THEIR MATHEMATICAL CALCULATIONS WOULD TAKE
12 SOMEWHERE IN THE MAGNITUDE OF A 2,000 PERCENT
13 INCREASE. I DON'T THINK IT'S FAIR TO LOCAL
14 DECISION MAKERS TO ONLY GET PART OF THAT
15 DISCUSSION.

16 AND I THINK WHAT THIS POLICY WOULD
17 END UP DOING WOULD BE HAVING STAFF AT THE THING AT
18 A HEARING NOT PROMOTING THE LOCAL ISSUE, BUT
19 PROMOTING THE POLICY, THAT WE NEED TO MANAGE TIRES
20 IN A RESPONSIBLE MANNER IN THE STATE OF CALIFORNIA
21 TO MINIMIZE THE RISK.

22 ONE OF THE ISSUES THAT CAME FORWARD
23 IN MY DISCUSSION WITH MR. DRURY AND THEN A LETTER

24 THAT FOLLOWED TODAY WAS THAT -- YOU KNOW, HE KEPT
25 REFERRING TO THE CY SCHWARTZ REPORT AS A CALIFORNIA

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1 INTEGRATED WASTE MANAGEMENT REPORT. THAT'S NOT A
2 CALIFORNIA INTEGRATED WASTE MANAGEMENT REPORT
3 BECAUSE THE WASTE BOARD DID NOT ACCEPT THE REPORT.
4 WE MAY HAVE PAID FOR IT, BUT WE DID NOT ACCEPT IT.
5 WE DIDN'T ACCEPT IT BECAUSE IT DID NOT SHOW THE
6 PROS AND CONS.

7 I THINK IF YOU REFER -- IF YOU LOOK
8 AT THE RESOLUTION, WE SAY VERY CLEARLY IN THE
9 RESOLUTION THAT A BRIEF DOCUMENT DESCRIBING THE USE
10 OF TIRES AS FUEL SUPPLEMENT AND ITS EFFECTS BOTH
11 PRO AND CON WILL BE PREPARED AND ADOPTED BY THE
12 BOARD AND DISTRIBUTED TO LOCAL GOVERNMENTS. THAT'S
13 WHAT WE NEED TO DO. WE DON'T NEED TO ALWAYS BE OUT
14 THERE AGREEING. WE NEED TO MAKE AVAILABLE THE
15 INFORMATION THAT WILL LET LOCAL JURISDICTIONS VOTE
16 ON ISSUES THAT IMPACT LOCAL JURISDICTIONS. AND WE
17 NEED TO GIVE THEM A FAIR SNAPSHOT OF THAT BECAUSE
18 THOSE SHAPSHOTS ARE NOT ALWAYS FAIR.

19 THE OTHER THING THAT MR. DRURY
20 BROUGHT UP -- WELL, HE SAYS IN HERE SINCE THE WASTE
21 BOARD COULDN'T BUY OFF THE SCIENTISTS TO SUPPORT
22 THEIR PREDETERMINED CONCLUSIONS, I WOULD SAY THAT
23 CY SCHWARTZ IS A POLITICAL SCIENTIST, NOT A

24 CHEMICAL SCIENTIST.

25 THE OTHER THING THAT THEY SAID WAS

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1 THAT WE DON'T HAVE -- THAT WE'RE NOT SCIENTISTS ON
2 THIS BOARD AND THAT WE SHOULDN'T BE MAKING THOSE
3 POLICY DECISIONS. WELL, IF YOU TAKE THAT LOGIC
OUT

4 EVEN FURTHER THAN THE PRESIDENT OF THE UNITED
5 STATES, THE CONGRESS, THE SENATE, THE STATE
6 LEGISLATURES, EVERYBODY THAT DEALS WITH POLICY FOR
7 THIS COUNTRY AND THIS STATE IS NOT ALLOWED TO MAKE
8 LAY DECISIONS BASED ON SCIENTIFIC DATA. I DON'T
9 AGREE WITH THAT.

10 I THINK OUR JOB IS THAT SOMEBODY
FELT

11 THAT WE HAD ENOUGH INTELLIGENCE TO LOOK AT THIS
12 INFORMATION AND MAKE A DECISION, AND I THINK THAT
13 THAT IS VERY, VERY IMPORTANT. I'M NOT A
SCIENTIST.

14 I DON'T UNDERSTAND THE SCIENCE. THAT'S WHY I
ASKED

15 THAT A BAR GRAPH BE PUT UP. I WANT TO KNOW WHAT
16 THE STANDARD IS. I WANT TO KNOW WHAT THE MINIMAL
17 THRESHOLD IS, AND I WANT TO KNOW WHERE THIS IS IN
18 RELATION TO THAT SO THAT PEOPLE CAN MAKE DECISIONS
19 BASED ON REAL SCIENCE.

20 AND I LIKE THOSE WHEREASES. I THINK
21 THOSE WHEREASES -- I WISH THE COMPUTER HADN'T
22 FROZEN UP.

23 MEMBER RELIS: MR. CHAIR, WELL, IN LIGHT
24 OF YOUR COMMENTS, MR. JONES, AND LET ME JUST ADD,
I

25 THINK JUST FRAMING THIS WHOLE DISCUSSION AGAIN,

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1 WHATEVER THIS POLICY BECOMES, IN OTHER WORDS, WITH
2 THE WHEREASES AND THE ADDITION, IT'S ALL THE MORE
3 IMPORTANT, BASED ON WHAT YOU SAID, THAT I THINK WE
4 GET THE SCIENTIFIC FRAMEWORK SET FORTH AS A BASIS
5 FOR POLICY. THAT'S WHY I THINK THE CITATIONS
6 BECOME EXTREMELY IMPORTANT BECAUSE WE ARE NOT
7 EVALUATING THIS AS SCIENTISTS. THAT'S BEING DONE
8 BY OTHER PARTIES WHO ARE IN A POSITION TO MAKE
THAT
9 ANALYSIS.

10 SECONDLY, I DON'T HAVE ANY ILLUSIONS
11 THAT IF THE POLICY IS ADOPTED, THAT IT'S GOING TO
12 BE A CAKE WALK FOR THE CEMENT -- FOR THE TDF
13 INDUSTRY. THEY HAVE TO MAKE IT ON THEIR OWN AT
THE
14 LOCAL LEVEL. THIS MIGHT ADD PERSPECTIVE, AN
15 APPROPRIATE STATE PERSPECTIVE ON TRYING TO -- OUR
16 TAKE ON TRYING TO DEAL WITH A VEXING PROBLEM THAT
17 WE'VE HAD, BUT THESE ARE BASICALLY LOCAL PERMIT
18 ISSUES. AND THEY, THE LOCALS, MAY JUST BLOW ANY
OF
19 THIS OFF. JUST BECAUSE THE STATE HAS A COMMENT TO
20 MAKE DOESN'T MEAN THAT IT'S ACCEPTED AT THE LOCAL

21 LEVEL.

22 SO I DON'T THINK WE OUGHT TO HAVE
23 ANY

23 ILLUSIONS THAT SOMEHOW A WORD FROM THE STATE IS A
24 WIN-WIN FOR EVERYBODY. THIS WILL BE AS RIGOROUSLY
25 DEBATED AT THE LOCAL LEVEL AS IT IS TODAY. SO

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1 WITHIN THAT CONTEXT, IF THE MAKER OF THE MOTION
2 CAN --

3 MEMBER PENNINGTON: WHY DON'T I -- SINCE
4 THERE WAS NO SECOND TO THE FIRST MOTION, WHY DON'T
5 I JUST RESTATE MY MOTION AND SEE IF THAT IS
6 APPROVABLE.

7 I WILL MOVE THE ADOPTION OF
8 RESOLUTION 97-425, ADOPTION OF A POLICY TO SUPPORT
9 THE USE OF TIRES AS A FUEL SUPPLEMENT AND REQUEST
10 THAT STAFF INCLUDE A WHEREAS OR WHEREASES WHICH
11 OUTLINE THE CONCLUSION OF VARIOUS STUDIES WE
12 HAVE -- WE ARE BASING OUR SUPPORT ON.

13 MEMBER RELIS: UNFORTUNATELY, I CAN'T
14 SUPPORT THAT TILL I GET THE LANGUAGE, SO I WILL
15 NOT
16 BE SECONDING IT, BUT --

17 CHAIRMAN JONES: OKAY. I'LL SECOND THAT
18 MOTION. I MEAN WE CAN DO IT EITHER WAY. ON --
19 JUST A COMMENT ON THE MOTION.

20 ON ITEM NO. 2, THE DEVELOPMENT AND
21 PRODUCTION OF PUBLIC EDUCATION WORKSHOPS, WHICH WE
22 TALK ABOUT A STANDARDIZED WORKSHOP BE DEVELOPED, I
23 KNOW IF YOU GO BACK TO THE APRIL MEETING IN SAN
24 BERNARDINO, I HAD INDICATED IN THAT MOTION THAT
25 WAS

24 ACCEPTED BY THE BOARD NOT ONLY TO INCLUDE THE
25 PUBLIC WORKSHOP, BUT FOR US TO HAVE STAFF
AVAILABLE

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1 AT THOSE HEARINGS AT THOSE TABLES, NOT TO SUPPORT
2 THE INDIVIDUAL PROJECT, BUT TO SUPPORT THE POLICY.
3 AND I WOULD LIKE TO HAVE WORDS TO THAT EFFECT THAT
4 REFLECT WHAT WE HAD TALKED ABOUT AND THAT WAS
5 ACCEPTED BY THE BOARD. I THINK THE APPROPRIATE
6 PLACE TO DO IT IS IN ELEMENT 2, BUT --

7 MS. TRGOVCICH: THAT'S SOMETHING, MR.
8 CHAIR, THAT WE WOULD, AS STAFF, EXPECT TO DO ANY
9 TIME WE WOULD PRODUCE A DOCUMENT OR MAKE AVAILABLE
10 INFORMATION, THAT WE WOULD BACK THAT UP WITH OUR
11 PRESENCE AND OUR PARTICIPATION TO DESCRIBE THAT
12 INFORMATION, TO SUPPORT THE INFORMATION THAT WE'RE
13 MAKING AVAILABLE TO ASSIST IN A LOCAL DECISION-
14 MAKING PROCESS.

15 WE CAN CERTAINLY ADD THAT IN ITEM NO.
16 2, AND IT'S SOMETHING THAT WE WOULD DO WHETHER WE
17 WERE TALKING ABOUT THE USE OF TDF OR WHETHER WE
18 WERE TALKING ABOUT A PARTICULAR CLEANUP ACTION,
19 WHETHER WE WERE TALKING ABOUT THE NEWSPRINT PROGRAM
20 OR RPPC, JUST TO GO TO A DIFFERENT CONTEXT THERE.
21 IT'S A STANDARD PRACTICE FOR US.

22 CHAIRMAN JONES: IT'S CONSISTENT AND
23 DOESN'T HAVE TO BE SPECIFICALLY NAMED BECAUSE I
24 THINK THAT -- YEAH, AS LONG AS THAT'S COVERED,
25 THAT'S FINE.

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1 MS. TRGOVCICH: WE'LL CERTAINLY INCLUDE
2 IT, BUT I JUST DON'T WANT TO MAKE IT APPEAR AS IF
3 THIS WOULD BE PRECEDENTIAL FOR US.

4 CHAIRMAN JONES: NO, IT ISN'T BECAUSE I
5 KNOW I'VE HAD DISCUSSIONS ABOUT COMPOSTING
6 FACILITIES; AND WHEN THEY COME FORWARD, THEY SAY
7 ASPERGILLUS, AND WE SAY, YEAH, BUT IT'S HANDLED.

8 THAT'S WHAT THIS BOARD NEEDS TO DO.
9 THEY NEED TO BE AT THESE PLACES THAT ARE TRYING,
10 WHETHER IT'S TDF, COMPOSTING FACILITY, A PAPER
11 FACILITY, YOU KNOW, PROMOTING THE POLICY THAT IS
12 GERMANE TO THAT SECTION OF THE WASTESTREAM.

13 DOES ANYBODY HAVE ANY OTHER
14 COMMENTS? I MEAN WE CAN BRING THIS FORWARD TO
15 THE
16 BOARD WITHOUT ANY RECOMMENDATION OR TWO TO ONE,
17 WHATEVER. I'D JUST SOON -- I'VE SECONDED THAT
18 MOTION. SO, JEANNINE, DOES ANYBODY HAVE ANY
19 OTHER

20 COMMENTS? OKAY. JEANNINE, YOU WANT TO CALL THE
21 ROLL.

22 THE SECRETARY: BOARD MEMBER RELIS.

23 MEMBER RELIS: I'LL ABSTAIN.

24 THE SECRETARY: BOARD MEMBER PENNINGTON.

25 MEMBER PENNINGTON: AYE.

24 THE SECRETARY: CHAIRMAN JONES.

25 CHAIRMAN JONES: AYE. OKAY. THAT WILL

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1 GET MOVED ON TO THE FULL BOARD FOR CONSIDERATION,
2 AND THEN, STAFF, YOU WILL -- OR CAREN AND MARTHA,
3 EXCUSE ME, YOU WILL BE ABLE TO INCLUDE THESE
4 LETTERS AND ANY OTHERS THAT ARE PROBABLY
SITTING IN

5 MY OFFICE ON THE FAX MACHINE OR YOUR OFFICE.

6 MS. TRGOVCICH: YOU WOULD LIKE THEM
7 INCLUDED IN THE ACTUAL BOARD ITEM.

8 CHAIRMAN JONES: JUST SO THAT THE
BOARD

9 MEMBERS HAVE THEM.

10 MS. TRGOVCICH: WE'LL CERTAINLY
INCLUDE

11 THOSE, WE WILL MAKE THE CHANGE IN THE ITEM AS
IT --

12 IN TERMS OF ITEM NO. 4 PREVIOUSLY ADOPTED TO
13 REFLECT THE AMOUNT OF TDF USED AT THE 14
PERCENT

14 LEVEL INSTEAD OF 20. SO WE'LL MAKE THE ITEM
15 CHANGES, AND WE WILL REFLECT THE COMMITTEE
ACTION

16 TO DEVELOP ADDITIONAL WHEREASES, AND WE WILL
WORK

17 ON THAT WITH YOUR OFFICES IN THE COMING
WEEKS.

18 CHAIRMAN JONES: ALL RIGHT.

19 ITEM NO. 3, CONSIDERATION OF
20 REALLOCATION OF \$200,000 FROM FISCAL YEAR
'97-'98

21 CALIFORNIA TIRE RECYCLING FUND TO AUGMENT
WASTE

22 TIRE LEVEE REPAIR DEMONSTRATION PROJECT.

23 MS. TRGOVCICH: MR. CHAIRMAN, I
WILL TAKE

24 CARE OF THAT ITEM FOR YOU. YOU MAY BE
SURPRISED TO

25 SEE IT ON YOUR AGENDA. LET ME JUST PUT IT
INTO

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1 CONTEXT FOR YOU. AT LAST MONTH'S MEETING THE
2 COMMITTEE CONSIDERED OR THE BOARD CONSIDERED
3 WHETHER OR NOT TO APPROVE THE FEASIBILITY STUDY
4 THAT WAS CONDUCTED BY CALIFORNIA STATE UNIVERSITY
5 CHICO AS IT RELATED TO THE USE OF TIRES IN A LEVEE
6 CONSTRUCTION PROJECT.

7 AS YOU ARE AWARE, THERE WAS A BENCH
8 SCALE TEST THAT WAS DONE AND A FEASIBILITY STUDY
9 RESULTED FROM THAT. THE BOARD APPROVED THE
10 FEASIBILITY STUDY, WHICH MEANT THAT WE WERE ON TO
11 THE NEXT PHASE OF THE PROJECT. LAST APRIL, WHEN
12 THE BOARD ADOPTED THE 1997-98 TIRE FUND ALLOCATION,
13 THE BOARD APPROVED SIMULTANEOUSLY \$409,000 TO BE
14 MADE AVAILABLE FOR A FULL-SCALE DEMONSTRATION IN
15 THE EVENT THAT THE FEASIBILITY STUDY WAS ACCEPTED
16 BY THE BOARD.

17 CHICO STATE CAME FORWARD AND SAID,
18 YOU KNOW, IT'S GOING TO COST A LITTLE MORE. IN
19 FACT, IT'S GOING TO COST \$664,000 AND NOT
20 \$409,000. SO AT YOUR GENERAL BUSINESS MEETING LAST
21 MONTH, YOU MADE THE DIRECTION TO STAFF TO REDIRECT
22 FUNDS FROM AN ITEM CALLED "END USE PROCESSING
23 FACILITY EVALUATION" INTO THE LEVEE CONSTRUCTION
24 PROJECT TO MAKE \$200,000 MORE AVAILABLE.

25

YOU ALSO DIRECTED STAFF TO LOOK TO
70

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1 OTHER SPONSORSHIP OF THIS PROJECT TO PROVIDE THE
2 UNIVERSITY THEIR FULL REQUESTED AMOUNT OF \$664,000.
3 THAT WAS THE MOTION OF THE BOARD.

4 AT THAT TIME I INDICATED THAT WE
5 WOULD SEEK CLARIFICATION FROM OUR LEGAL OFFICE AS
6 TO WHETHER OR NOT THAT ITEM WAS NOTICED PROPERLY SO
7 THAT THE ALLOCATION, THE REDIRECTION OF FUNDS,
8 COULD, IN FACT, TAKE PLACE. IN ORDER TO BE SAFE,
9 WE PUT THIS ITEM BACK ON YOUR COMMITTEE AGENDA THIS
10 MONTH SO THAT IF THERE WAS PUBLIC TESTIMONY OR
11 ISSUES RAISED AROUND THE MOVEMENT OF THOSE FUNDS,
12 THAT YOU COULD HEAR THAT.

13 SO WHAT THIS ITEM IS IS THE
14 FORMALIZATION OF THE ACTION LAST MONTH TO REDIRECT
15 THE FUNDS FROM THE END USE PROCESSING FACILITY
16 EVALUATION LINE ITEM FOR \$200,000 INTO THE TIRE
17 LEVEE DEMONSTRATION PROJECT, WHICH WOULD BRING THAT
18 PROJECT TOTAL TO \$609,000.

19 AND I WILL CONCLUDE STAFF'S
20 PRESENTATION.

21 MEMBER PENNINGTON: MR. CHAIRMAN, HAS
22 ANYBODY WANTED TO SPEAK ON THIS?

23 CHAIRMAN JONES: NO. I DON'T HAVE ANY

24 SLIPS.

25 MEMBER PENNINGTON: I WOULD MOVE ADOPTION

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1 OF RESOLUTION 97-437, REALLOCATING \$200,000 FROM
2 THE TIRE FUND.

3 MEMBER RELIS: I'LL SECOND.

4 THE SECRETARY: BOARD MEMBER RELIS.

5 MEMBER RELIS: AYE.

6 THE SECRETARY: BOARD MEMBER PENNINGTON.

7 MEMBER PENNINGTON: AYE.

8 THE SECRETARY: CHAIRMAN JONES.

9 CHAIRMAN PENNINGTON: AYE. ONE QUESTION.

10 CONSENT CALENDAR?

11 MEMBER RELIS: SURE.

12 CHAIRMAN JONES: OKAY. HOW DID THE SCRAP
13 TIRE MANAGEMENT COUNCIL RESPOND WHEN WE ASKED THEM
14 TO HELP FUND THE REMAINING 60 SOME THOUSAND
15 DOLLARS?

16 MS. GILDART: THEY SAID THAT THEY
17 THEMSELVES DO NOT HAVE FUNDS FOR THAT KIND OF
18 ACTIVITY. THEY DO NOT GENERALLY PUT MONEY INTO ANY
19 SORT OF RESEARCH DEMONSTRATION, WHATEVER. HOWEVER,
20 MIKE BLUMENTHAL DID SAY THAT IF WE WERE TO WRITE
21 HIM A LETTER FORMALLY REQUESTING SOME KIND OF
22 SUPPORT, HE COULD RUN IT BY THEIR INDIVIDUAL MEMBER
23 ORGANIZATIONS AND SEE IF ANY OF THEM MIGHT BE
24 WILLING TO PROVIDE.

25 MEMBER PENNINGTON: WOULD YOU DRAFT A

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1 LETTER FOR MY SIGNATURE?

2 CHAIRMAN JONES: GREAT? ALL RIGHT.

3 MEMBER RELIS: FAX IT TO THEM.

4 CHAIRMAN JONES: FOR THOSE OF YOU IN THE
5 AUDIENCE THAT DON'T KNOW WHAT WE'RE TALKING ABOUT,
6 WE DID COME UP ABOUT 60 SOME THOUSAND DOLLARS SHORT
7 ON WHAT WE NEEDED, AND THE CHAIRMAN AND THE
8 BOARD -- WELL, THE CHAIRMAN SUGGESTED WE GO TO THE
9 SCRAP TIRE MANAGEMENT COUNCIL TO SEE IF THEY WANTED
10 TO PARTICIPATE IN THIS GOOD USE OF TIRES. AND WE
11 JUST GOT AN UPDATE ON HOW THAT WENT, AND NOW THE
12 CHAIRMAN IS GOING TO SIGN A LETTER TO GET THE
13 MONEY. ALL RIGHT. WE HAVE --

14 WE'RE GOING TO TAKE A FIVE-MINUTE
15 BREAK, AND WE WILL BE BACK AT 11:20.

16 (RECESS TAKEN.)

17 CHAIRMAN JONES: OKAY. WE'RE GOING TO
18 RECONVENE ON ITEM NO. 5, A STATUS REPORT ON THE
19 PUBLIC UTILITIES COMMISSION DEREGULATION, AB 1890.

20 MS. GILDART: NEAL JOHNSON WILL BE
21 PRESENTING THIS ITEM.

22 MR. JOHNSON: THANK YOU. THIS IS -- TRY
23 TO MAKE THIS A SHORT UPDATE OF WHERE WE ARE IN THE

24 PROCEEDING -- OUR PROCEEDINGS. I GUESS FIRST,
25 SENATE BILL 90 BY -- RON SHER'S BILL THAT WAS
73

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1 INTRODUCED TO IMPLEMENT THE AB 1890 FUNDING FOR
2 RENEWABLES PASSED THE ASSEMBLY ON LATE FRIDAY
3 AFTERNOON, PASSED OUT OF THE SENATE AROUND 3
4 O'CLOCK ON SATURDAY MORNING, AND IS NOW, I GUESS,
5 ON THE GOVERNOR'S DESK TO BE SIGNED SOMETIME IN THE
6 NEXT MONTH.

7 SB 90 BASICALLY -- ESSENTIALLY THE
8 SAME AS WE TALKED ABOUT IT A MONTH AGO. AS I NOTE
9 IN THE WRITEUP, THE LANDFILL GAS RECOVERY
10 SUPPORTERS COALITION WERE UNSUCCESSFUL IN GETTING
11 LANDFILL GAS MOVED BACK FROM TO TIER 1 IN -- THE
12 TIER I SUPPORT LEVEL FOR EXISTING RENEWABLES.
13 THEY'RE, UNFORTUNATELY, SORT OF MIRED IN THE THIRD
14 TIER.

15 THE SB 90 ALSO DIRECTS THE CALIFORNIA
16 ENERGY COMMISSION TO ENGAGE IN SOME RESEARCH AND
17 DEVELOPMENT ACTIVITIES FOR EMERGING TECHNOLOGIES
18 AND AUTHORIZES THE COMMISSION TO IMPLEMENT A
19 STRATEGIC PLAN FOR RD&T. IF YOU SORT OF FLIP TO
20 THE BACK SIDE OR BOTTOM OF THE SECOND PAGE, THE
21 COMMISSION IS ALSO -- THE COMMISSION, I MEAN THE
22 ENERGY COMMISSION HERE -- IS PRESENTLY LOOKING TO
23 FUND THE CONTINUATION OF WHAT WAS CALLED PUBLIC
24 INTEREST RD&T.

25 THOSE ARE THINGS THAT HAD

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1 TRADITIONALLY BEEN FUNDED OUT OF THE UTILITY RATE
2 BASE, BUT UNDER DEREGULATION WILL NO LONGER BE SO,
3 AND SO THESE PROJECTS ARE ONES FUNDED THROUGH THE
4 END OF '97. THE ENERGY COMMISSION IS SEEKING
5 COMMENTS FROM THE WORLD, SO TO SPEAK, THAT ARE DUE
6 NEXT MONTH ON HOW THEY SHOULD PROCEED ON THIS.

7 THEY'RE PROPOSING A ONE-TIME FUNDING
8 FOR THOSE PROJECTS WHO WOULD DIE IF THEY DIDN'T GET
9 SUPPORT, AND THEN THEY HAVE A NUMBER OF TECHNICAL
10 SELECTION QUESTIONS. AND WE WILL EVALUATE AND
11 PROBABLY SUBMIT SOME COMMENTS IN EARLY OCTOBER TO
12 THE ENERGY COMMISSION.

13 THE LAST SEVERAL TIMES I'VE TALKED
14 ABOUT THREE BILLS THAT HAD ORIGINALLY BEEN
15 INTRODUCED, AB 1513, WHICH PASSED THE ASSEMBLY BACK
16 IN FEBRUARY -- EARLY JUNE THAT WOULD HAVE
17 IMPLEMENTED AT THAT TIME A \$30 A TON INCOME TAX
18 CREDIT FOR AGRICULTURAL GROWERS WHO PRODUCE BIOMASS
19 FUEL. THAT BILL, UNFORTUNATELY, GOT REWORKED OR
20 SORT OF DESTROYED IN THE SENATE WHEN THE TAX CREDIT
21 PROVISIONS BECAUSE OF THE CONTROVERSY OVER THEM
22 CAUGHT UP. AND SO THAT'S NOW A TWO-YEAR BILL WITH
23 A STATEMENT OF LEGISLATIVE INTENT TO DEVELOP SOME

24 FINANCIAL MECHANISM THAT WOULD RETAIN THEIR
25 BENEFITS, BUT DIDN'T REALLY GIVE A CLUE AS TO WHAT.

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1 SB 1216 BY COSTA WOULD HAVE CREATED A
2 CENT AND A HALF PER KILOWATT HOUR INCOME TAX CREDIT
3 TO BIOMASS POWER PLANTS. AND THAT WAS EXTREMELY
4 CONTROVERSIAL BECAUSE OF THE CONCEPT OF TRANSFER-
5 ABILITY OF TAX CREDITS, WHICH IS, FROM THE POINT OF
6 VIEW OF THE FRANCHISE TAX BOARD, A NO-NO.

7 AND AGAIN, IT WAS AMENDED TO A
8 STATEMENT OF LEGISLATIVE ATTEMPT TO DO SOMETHING,
9 BUT SORT OF UNSPECIFIED WHAT IT WOULD BE.

10 THERE WAS ANOTHER BILL INTRODUCED BY
11 ASSEMBLYMAN WOODS, 1179, WHICH HAD DIRECTED THE
12 DEPARTMENT OF FORESTRY AND FIRE DETECTION TO SUBMIT
13 A REPORT BY THE END OF THE '98 SESSION ON THE ROLE
14 OF BIOMASS POWER PLANTS AND FOREST MANAGEMENT,
15 WATERSHEDS, MANAGEMENT STRATEGIES, AND THAT, AGAIN,
16 IS ALSO A TWO-YEAR BILL.

17 THE -- BACK TO LITTLE OF WHERE THE
18 CALIFORNIA PUBLIC UTILITIES COMMISSION, WHO IS THE
19 AGENCY FUNDAMENTALLY CHARGED WITH REGULATING THE
20 INDUSTRY AND ADVANCING AB 1890 AND THE WHOLE
21 DEREGULATION OR RESTRUCTURING PROCEEDING, THEY
22 RECENTLY -- THE COMMISSION APPROVED THE ISSUANCE OF
23 WHAT ARE CALLED RATE REDUCTION BONDS. THIS WAS A
24 CREATURE CREATED BY AB 1890 TO THEORETICALLY MAKE A
25 SMOOTH TRANSITION FROM THE DEREGULATED STATE TO THE

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1 DEREGULATEED -- OR FROM THE REGULATED STATE TO THE
2 DEREGULATED STATE BY ESSENTIALLY ISSUING -- TAKING
3 BOND PROCEEDS TO GENERATE UP-FRONT MONIES, AND THAT
4 WOULD BE THEN PAID BACK AT A LATER DATE. AND THAT
5 WAS THE WAY TO FUND THE RATE REDUCTION FOR
6 RESIDENTIAL CUSTOMERS, WHICH WAS A -- ONE OF THE
7 REQUIREMENTS OF AB 1890.

8 THE COMMISSION HAS APPROVED THE
9 ISSUANCE OF \$9 BILLION OF BONDS. THE INFRA-
10 STRUCTURE BANK, WHICH HAS THE CHARGE TO ISSUE
11 THOSE, HAS YET TO DO SO.

12 THE -- STARTING IN JULY, THE PUBLIC
13 UTILITIES COMMISSION STARTED REGISTERING ELECTRIC
14 SERVICE PROVIDERS. ONE OF THE CONDITIONS OF
15 PLAYING IN THE GAME IS YOU HAVE TO REGISTER WITH
16 THE COMMISSION. RIGHT NOW THERE'S OVER A HUNDRED
17 PARTIES THAT HAVE ALREADY REGISTERED FROM SMALL
18 WATER DISTRICTS TO AFFILIATES OF UTILITIES
19 THROUGHOUT THE COUNTRY TO A VARIETY OF OTHER
20 PROVIDERS. AND THAT LIST IS GROWING DAILY.

21 LAST -- ACTUALLY BOTH JULY AND
22 AUGUST, ONE OF THE THINGS I CONCENTRATED ON WAS THE
23 RESTRUCTURING OF QUALIFYING FACILITY CONTRACTS,
24 WHICH ARE GENERALLY THE STANDARD OFFER CONTRACTS
25 THAT THE COMMISSION HAD DIRECTED THE UTILITIES TO

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1 ENTER INTO OVER THE LAST 15 TO 20 YEARS, AND
2 EXPRESS SOME REAL CONCERN ABOUT WHAT MIGHT COME OUT
3 OF THAT PROCEEDING.

4 AS WE SPEAK TODAY, THE COMMISSION
5 STILL HAS YET TO RENDER A DECISION EITHER AT THE
6 ALJ LEVEL OR AT THE COMMISSION LEVEL. I WAS TOLD
7 BY THE CHIEF ADMINISTRATIVE LAW JUDGE SEVERAL WEEKS
8 AGO THAT THEY, BECAUSE OF OTHER THINGS THAT HAD
9 HIGHER PRIORITY, THAT THEY HADN'T SCHEDULED ANYONE
10 YET TO START WRITING THE DECISION. SO AS IT STANDS
11 NOW, WE'RE NOT EXPECTING ANYTHING BEFORE JANUARY.
12 WE STILL EXPECT HAVING AN OPPORTUNITY, IF THAT'S
13 QUITE THE RIGHT WORD, TO PROVIDE SOME COMMENTS ON
14 THE RECORD BEFORE A FINAL DECISION IS EVER RENDERED
15 BY THE COMMISSION, WHICH I WOULD EXPECT NOW BEFORE
16 NOVEMBER.

17 THE OTHER MAJOR THING THAT'S GOING ON
18 IS THE ESTABLISHMENT OF A VARIETY OF RULES FOR THE
19 DIRECT ACCESS MARKET, BE IT THE METERING
20 REQUIREMENTS, BE IT RATE TARIFS, ETC., ETC. AND
21 THERE'S SUPPOSEDLY A BIG DECISION COMING OUT OF THE
22 COMMISSION SHORTLY ON THAT, AND THAT'S SORT OF
23 WHAT'S TIED UP THEIR DOCKET TIME.

24 MEANWHILE, WHILE THIS IS GOING ON, ON
25 THE OTHER SIDE OF THE COUNTRY, THE FEDERAL ENERGY
 78

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1 REGULATORY COMMISSION, FRC, HAS STILL YET TO RENDER
2 A DECISION ON THE REQUEST TO FORM THE INDEPENDENT
3 SYSTEM OPERATOR WHO WOULD RUN THE TRANSMISSION
4 SYSTEMS AND THE POWER EXCHANGE, WHICH IS THE MARKET
5 PRICING MECHANISM, BOTH OF WHICH ARE CORES TO THE
6 RESTRUCTURED MARKET.

7 DECISION EXPECTED SOMETIME THIS FALL,
8 BUT WHEN EXACTLY IS A LITTLE BIT OF DEBATE. AND I
9 THINK THAT COVERS THE -- WHAT I WANTED TO BRING YOU
10 UP TO DATE ON.

11 CHAIRMAN JONES: THANKS. DOES ANYBODY
12 HAVE ANY QUESTIONS?

13 MEMBER PENNINGTON: VERY CLEAR. THANK
14 YOU.

15 CHAIRMAN JONES: ALL RIGHT. THANK YOU.
16 DOES ANYBODY HAVE ANY OPEN DISCUSSION ITEMS? NO.
17 THIS MEETING IS ADJOURNED. THANK YOU ALL VERY
18 MUCH.

19 (THE MEETING WAS THEN ADJOURNED AT
20 11:30 A.M.)

21

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23

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79